BROADCASTING

Broadcast Advertising

TECHNOLOGY DEPT.

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DETROIT

ONE ANNOUNCEMENT

MADE OVER WOR ON APRIL 25th

PULLED 66,172 REQUESTS

FROM WOR LISTENERS!

The incident recited above is not being run on this cover because it happens to be a WOR rarity. We mention it rather because WOR, in many months, has not been taking time out to mention this sort of thing.

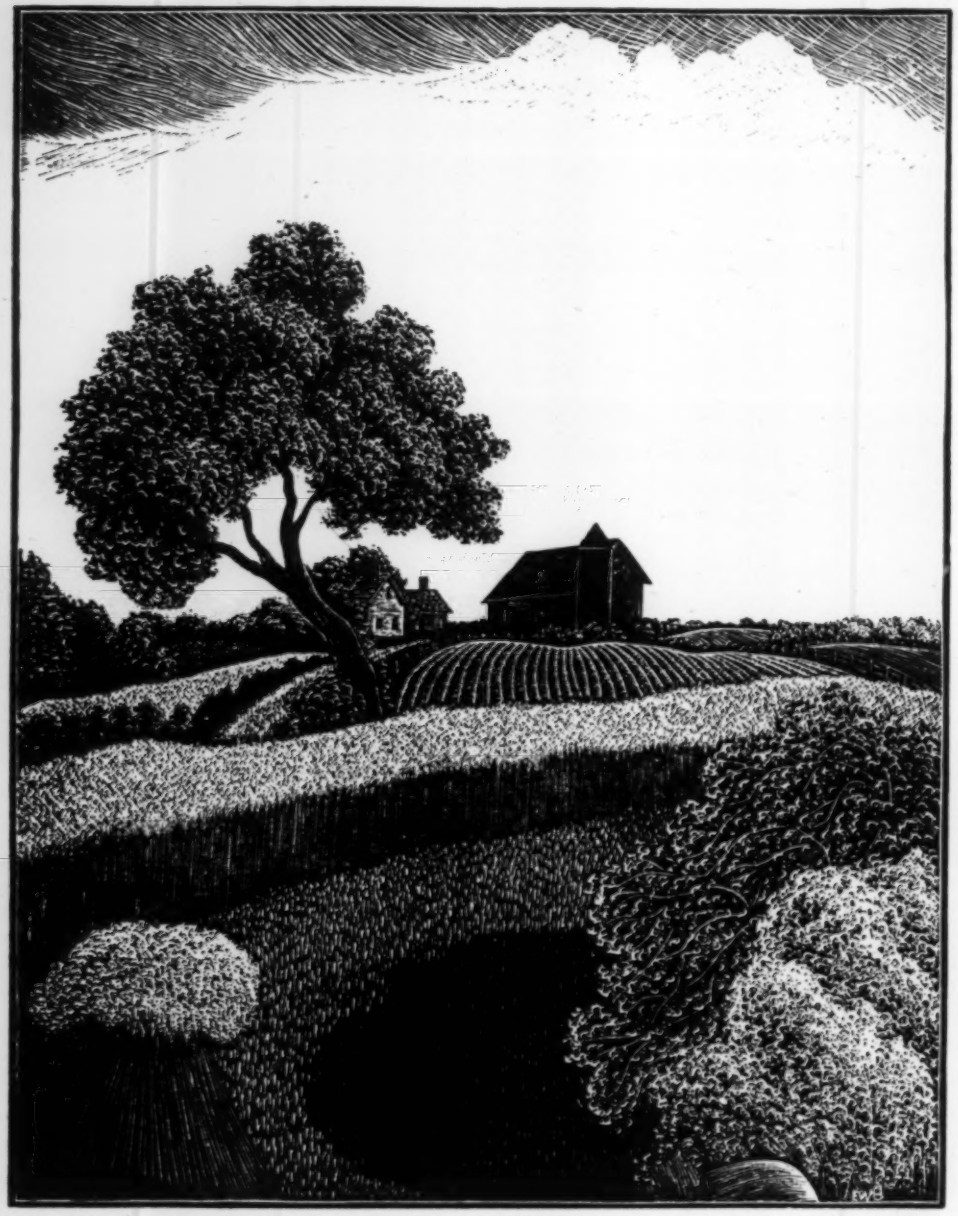
It shows, we think, these things: Time bought at *any* time on WOR gets the kind of results that please agencies; leave sponsors happily bewildered; and, incidentally, amazed at the genius of their advertising agents!

We have just issued an interesting memorandum called "It's a fact . . . " It describes the amazingly simple but shrewd strategy that created the bomb-burst reported above. A copy can be had pronto by addressing . . .

WOR

THAT POWER-FULL STATION AT

1440 BROADWAY, IN NEW YORK



Green and Golden Fields . . .

Their Life, Their Work, Their Home

Green and golden fields are battlegrounds, too. Tanks are tractors; bayonets are pitchforks. Without uniform, without glamour, the American farmer today is doing his job—doing it *well*. His is the biggest "Victory Garden" in the world; feeding sons, brothers and neighbors in uniform though they're half the world away. When whistles blow and the bands play "welcome home" to millions of America's fighting men, the farmer's job will have just begun. In the three years following the Armistice of World War I, more people died from famine and disease than were killed by bullets. The American farmer is determined that this shall not happen again. To us at WLS, these are our kind of people, the folks we like to keep informed and entertained. They like us and we like them. We have earned their friendship, their loyalty and their confidence—a confidence that extends also to advertised products associated with our name.

WLS

The PRAIRIE FARMER STATION

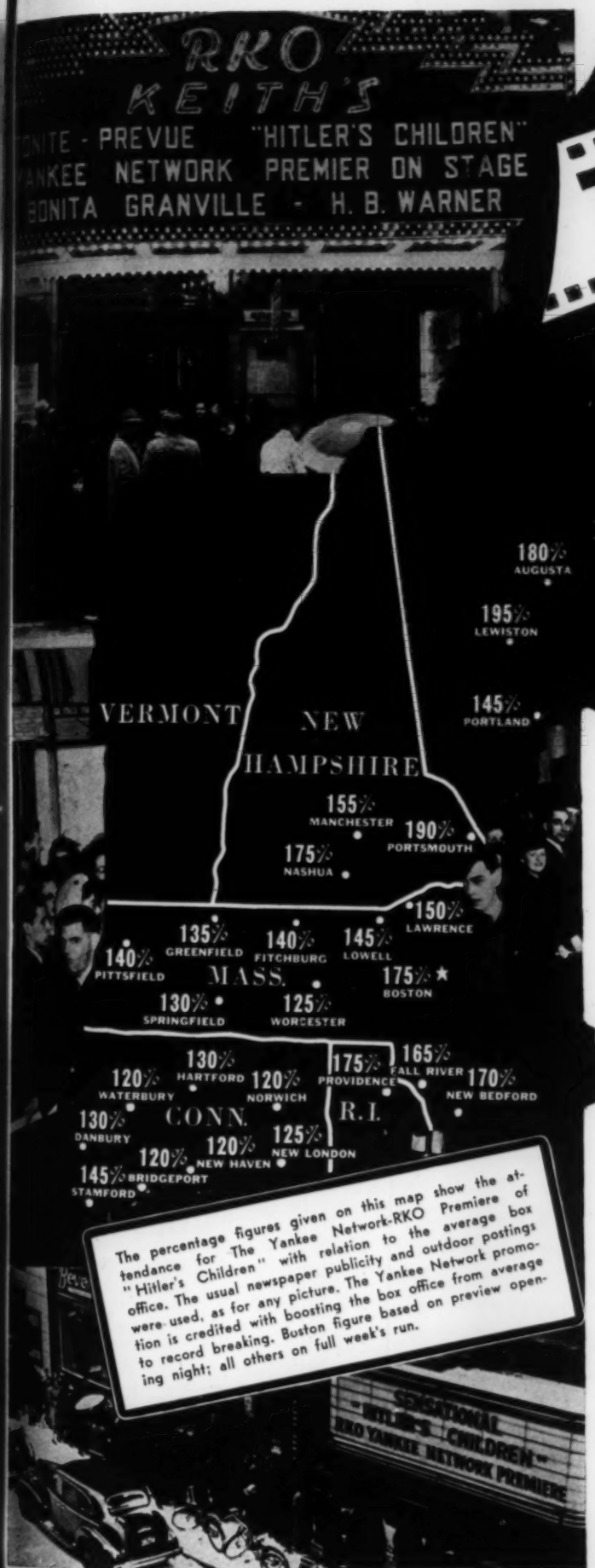
BURRIDGE D. BUTLER
President

GLENN SNYDER
Manager

CHICAGO

REPRESENTED BY JOHN BLAIR & COMPANY

AFFILIATED WITH KOY PHOENIX • KTUC TUCSON • KSUN BISBEE-LOWELL



PACKING 'EM IN

YANKEE NETWORK
Smashes Box Office Records
Throughout New England

The Yankee Network-RKO promotion of the 50-city Premiere of " Hitler's Children " is a sensational and positive demonstration of the effectiveness of Yankee Network home-town coverage in giving equal emphasis to a sales message at all key points.

The promotion covered 26 cities where " Hitler's Children " was showing in March. These 26 cities were plotted to draw from nearby cities (as they do when a picture is playing one theatre exclusively in a given territory) to make up the 50-city Premiere.

The Yankee Network promotion broke box office records in every one of the 26 cities.

The results are dramatic proof that the friendly, neighborly acceptance of Yankee Network home-town stations is a potent sales factor throughout New England — and that this *"Acceptance Is The Yankee Network's Foundation."*

★ Bangor, Me., Laconia, N. H., and Rutland, Vt. omitted, as picture did not show in these cities.

THE YANKEE NETWORK, INC.

Member of the Mutual Broadcasting System

21 BROOKLINE AVENUE
Boston, Massachusetts

EDWARD PETRY & CO., INC.
National Sales Representative

Published every Monday, 53rd issue (Year Book Number) published in February by BROADCASTING PUBLICATIONS, INC., 870 National Press Building, Washington, D. C. Entered as second class matter March 14, 1933, at Post Office at Washington, D. C., under act of March 3, 1879.

The MOST ECONOMICAL BUY in OMAHA ★ KOIL

is a MUST
For Outstate Nebraska

BROADCASTING
The Weekly Newsmagazine of Radio Broadcast Advertising

VOL. 24 • NO. 20 MAY 17, 194

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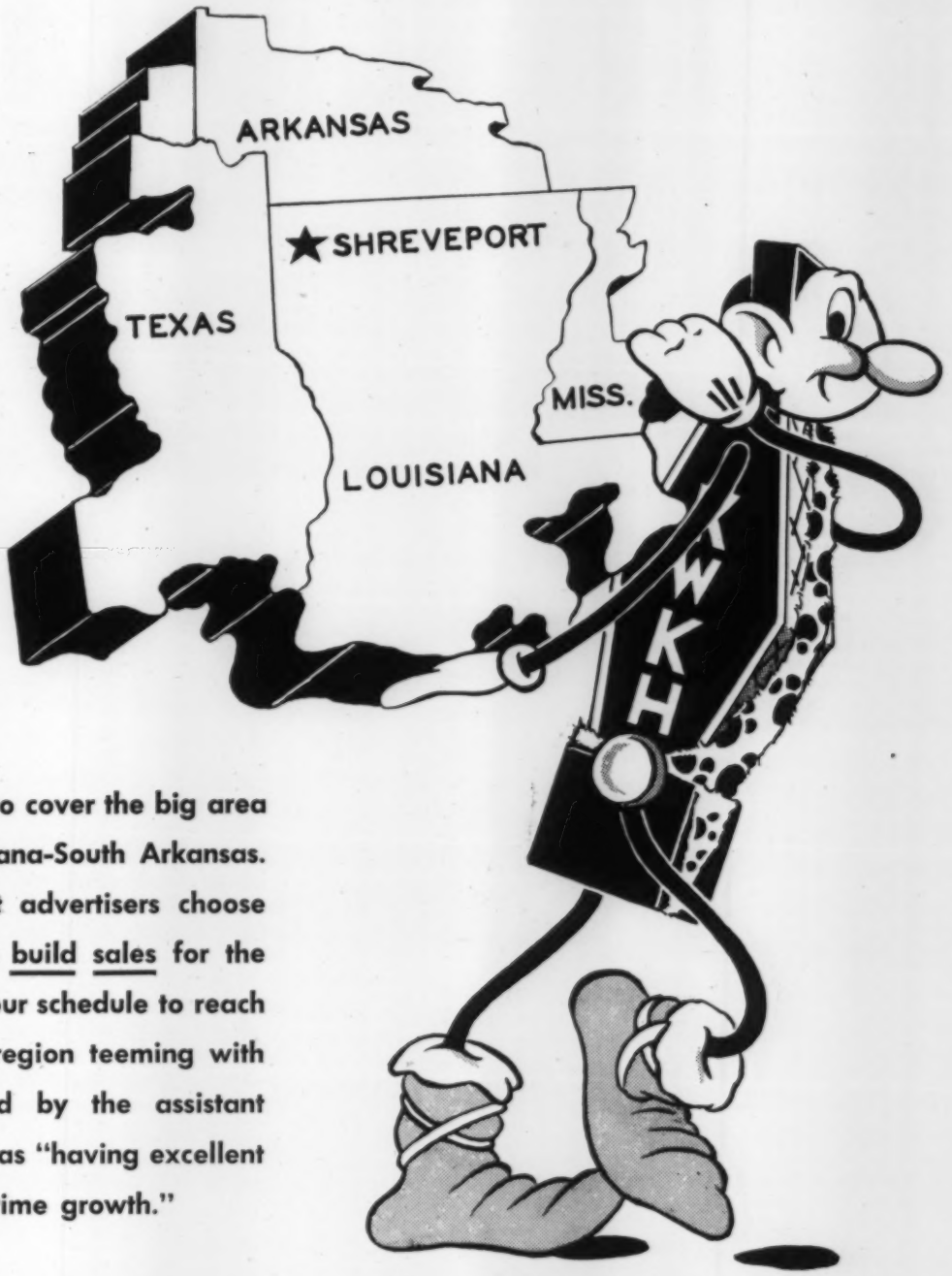
Subscription $5.00 a Year ● Canadian and Foreign, $6.00
Published every Monday, 53rd issue (Yearbook Number) Published in February

PLAYING TO A PACKED HOUSE

ADVERTISERS using "spots" on WFLA are playing to a packed house . . . the biggest audience that Tampa and WFLA have ever offered. A receptive audience, too, because it's made up of well-paid shipyard and other war workers; plus the military; plus the regular home folks. All with money to spend. The stage is set in Tampa for your product or service. You can ring up the curtain on increased sales with "spots" on WFLA . . . the most-listened-to-station in the Tampa trade area.

WFLA TAMPA NBC
JOHN BLAIR & CO. NATIONAL REPRESENTATIVE

SOME LOAD!



● It takes a BIG medium to cover the big area of East Texas-North Louisiana-South Arkansas. That's why scores of alert advertisers choose KWKH to sell now and to build sales for the future. Include KWKH on your schedule to reach this important market—a region teeming with war activity. It's classified by the assistant director, Bureau of Census, as "having excellent prospects of retaining wartime growth."

CBS sets net daytime Circulation at 313,000 radio homes; net nighttime at 425,000. Ask Branham Company for further details.

cover it with

CBS 50,000 WATTS

KWKH

A SHREVEPORT TIMES STATION

SHREVEPORT, LOUISIANA

The **SELLING POWER** *in the* **BUYING MARKET**

ONE OF A SERIES PRESENTING THE MEN WHO MAKE FREE & PETERS STATIONS

HARRY H. BUCKENDAHL

NATIONAL SALES MANAGER, KOIN-KALE, PORTLAND

1917 Manager of Chicago retail store while attending High School
1918 Joined Gilman, Nicoll & Ruthman
1920 Advertising Representative, Gilman, Nicoll & Ruthman
1926 Pacific Coast Manager, Gilman, Nicoll & Ruthman
1940 National Sales Manager, KOIN-KALE, Portland

THE only difference between Harry Buckendahl and the typical Horatio Alger hero is that Harry has really been a hard worker! He was hard at work before he left High School. Immediately after that, he got into media sales (via stenography) and after a story-book succession of advances, is now the *very* successful National Sales Manager of two *very* successful radio stations . . . .

Alongside such a biography, we rather quail from talking about how hard we've worked, "too"—but the fact remains that, lots of nights, you'll find our lights burning a good deal later than would seem necessary for the ordinary kind of time-peddling. Maybe getting off a bunch of telegrams for market data on some customer's special problems. Maybe dictaphoning or teletyping our stations for latest availabilities. Or this or that . . . .

. . . . The point is that Free & Peters believes in Service as a fact—not as a figure of speech. Otherwise how could we expect to continue pioneering, here in this group of pioneer radio-station representatives?

EXCLUSIVE REPRESENTATIVES:

WGR-WKBW . . . . . BUFFALO
WCKY . . . . . CINCINNATI
KDAL . . . . . DULUTH
WDAY . . . . . FARGO
WISH . . . . . INDIANAPOLIS
WKZO . KALAMAZOO-GRAND RAPIDS
KMBC . . . . . KANSAS CITY
WAVE . . . . . LOUISVILLE
WTCN . . MINNEAPOLIS-ST. PAUL
WMBD . . . . . PEORIA
KSD . . . . . ST. LOUIS
WFBL . . . . . SYRACUSE

. . . IOWA . . .

WHO . . . . . DES MOINES
WOC . . . . . DAVENPORT
KMA . . . . . SHENANDOAH

. . . SOUTHEAST . . .

WCSC . . . . . CHARLESTON
WIS . . . . . COLUMBIA
WPTF . . . . . RALEIGH
WDBJ . . . . . ROANOKE

. . . SOUTHWEST . . .

KOB . . . . . ALBUQUERQUE
KOMA . . . . . OKLAHOMA CITY
KTUL . . . . . TULSA

. . . PACIFIC COAST . . .

KARM . . . . . FRESNO
KECA . . . . . LOS ANGELES
KOIN-KALE . . . . . PORTLAND
KROW . OAKLAND-SAN FRANCISCO
KIRO . . . . . SEATTLE

and WRIGHT-SONOVOX, Inc.

FREE & PETERS, INC.

Pioneer Radio Station Representatives

Since May, 1932

CHICAGO: 180 N. Michigan Franklin 6575 — NEW YORK: 247 Park Ave. Plaza 5-4131 — SAN FRANCISCO: 111 Sutter Sutter 4353 — HOLLYWOOD: 1512 N. Gordon Gladstone 3949 — ATLANTA: 122 Palmer Bldg. Main 5667

BROADCASTING
and
Broadcast Advertising

VOL. 24, No. 20 WASHINGTON, D. C., MAY 17, 1943 $5.00 A YEAR—15c A COPY

Nets Prepare to Operate Under New Rules

United Front Presented on Appeal to Congress for New Legislation

STUNNED by severity of the Supreme Court opinion upholding the right of the FCC to regulate practically everything that is radio, all networks are in the throes of contract renegotiations with their affiliates, in conformity with the chain-monopoly regulations, to meet the June 14 effective date.

At the same time, however, the industry girded for a last-ditch effort for prompt enactment of legislation along the lines of the White-Wheeler bill (S-814) to limit and clearly define the FCC's jurisdiction.

Complete texts of Supreme Court majority and minority opinions, pages 20-31. Rules as revised by FCC Oct. 11, 1941, scheduled to become effective June 14, page 8. Statements of network heads, pages 20, 22 and 24. Detailed network regulations as analyzed by court majority, quoted in full in majority opinion, page 22. Newspaper editorial reaction, page 18.

Chance of Delay

The 5-2 ruling of the Supreme Court May 10 was not expected to wreak havoc overnight in the industry.

Although FCC Chairman James Lawrence Fly said last Thursday that the June 14 effective date would not be postponed, reports persisted that a later date might ensue, either by FCC consent, through further court action, or possibly upon suggestion of appropriate Congressional committees. The desire is to allow for an orderly transition. If no postponement is forthcoming, it is expected the networks promptly will notify their affiliates that all contracts are revised in accordance with the terms of the regulations.

Chairman Fly said Thursday, after numerous questions regarding postponement had been raised:

"I want to correct any such misapprehension. The enforcement of the chain broadcasting regulations has already, as the result of litigation, been postponed over a year and a half since they were promulgated in their present form. The effective date of the regulations is now stayed by Supreme Court order until 10 days after its mandate goes to the lower court, or, in normal course, until June 14. The Commission has no intention of delaying their effective date further. A full month thus remains for stations and networks to make necessary adjustments of contracts."

The Fly statement occasioned considerable surprise, since it had been generally understood conferences would be held forthwith, looking toward an orderly transition from existing methods of operation. Chairman Fly, however, was represented as feeling that the Supreme Court decision constituted the last chapter in the five-year-old controversy and that no further delay should be entailed. Moreover, he evinced disappointment over the industry's decision to press for legislation. Evidently he feels there should be no conferences with the industry unless the legislative campaign is dropped. A delay in the regulations, it appears, can come only through normal legal processes or by way of Congressional demand.

An avowed opponent of new legislation now, Chairman Fly, however, on June 25, 1942, asserted that if the FCC lost in the courts, he would seek new legislation to give the FCC added authortiy. His refusal to confer with the networks or even consider a postponement appeared to be at odds with the expression of the Supreme Court majority that the Commission "did not bind itself inflexibly to the licensing policies expressed in the regulations."

The majority opinion, handed down by Justice Frankfurter, was the most devastating blow yet struck upon radio's freedom of action. Aside from the effect it will have upon the dominant position of networks and their relations with stations, the opinion is of such magnitude and breadth as to cover several controverted issues affecting the FCC's regulatory powers.

In the majority opinion there is inferred judgment against multiple ownership of stations in the same locality. There is also implied control in the FCC over program content. Broad discretion is conferred on ownership aspects, which may have a bearing on the explosive issue of newspaper ownership of stations.

The regulations adjudged by the Supreme Court majority to be within the authority given the FCC by Congress were those as modified by the Commission Oct. 11, 1941. In essence, they are stripped down to the vital issue of option time, with the automatically drawn-in edict of non-exclusive affiliation. Stations, however, could contract for first call on the time of particular networks, with contracts to run for not longer than two years — the FCC license term. In effect, every station becomes a free agent, since no network may exclusively option time on a given outlet.

Conferences Awaited

The "non-exclusive" options, regarded as no options at all, are exercisable, under the regulations, on 56 days' notice instead of 28.

The other rules were postponed by the FCC when it issued its revised regulations in latter 1941. It was from these regulations that CBS and NBC appealed, first to a statutory three-judge court in New York and then, after that court had upheld the Commission, to the highest tribunal.

In anticipation of developments, the networks some time ago appointed advisory committees which have met regularly with network officials. Station relations operations also have been enlarged, on the assumption that good-will and team work largely must displace rigid contractual aspects in maintaining efficient network performance, program clearance and sustaining program service.

While the five-year battle over

Sponsorship of 'Uncle Sam' Is Ordered Stopped July 31

OWI's *Uncle Sam* series of 15-minute transcriptions will not be available for local sponsorship after July 30, Don Stauffer, chief of the Radio Bureau, notified stations last weekend, announcing that a revised program for sustaining use only would be distributed about August 1.

Wanted Name Stars

Change in the *Uncle Sam* series was brought about, Mr. Stauffer said, after many stations had expressed disappointment at the lack of big name stars in the series. Mr. Stauffer said that services of these stars could not be obtained due to the fact that local sponsorship of *Uncle Sam* had been permitted.

Expressing regret that withdrawal of the program would hurt about 250 stations which had obtained sponsors for the five-weekly series, officials of the Radio Bureau pointed out that *Uncle Sam* is used on 820 stations. They said the majority wanted the improved type of program, which could not be had on a local sponsorship basis.

The new *Uncle Sam* programs, Mr. Stauffer explained, will consist of only two programs weekly. They will use top ranking stars and will use familiar radio appeals that assure larger listening audiences. Advances and promotion material will precede each program.

Withdrawal of *Uncle Sam* from local sponsorship has been approved by top officials of OWI. Mr. Stauffer said Friday. Officials of the agency earlier this month had said there was little chance that the Government would act favorably on a suggestion advanced at the NAB War Conference urging increased production of programs for local sponsorship (BROADCASTING, May 10).

OWI's action in abandoning in-

(*Continued on page 56*)

the chain-monopoly regulations has ofttimes been tinged with acrimony, there was little rancor in evidence following the Supreme Court opinion. There was no immediate thought of an upheaval in the industry, though the major networks cling to their view that radio overall is destined to suffer on the long haul. All were agreed that the practical effect of the new rules would stem wholly from the kind of administration given them.

Despite the Fy statement, it was expected network heads shortly would confer with the Commission regarding enforcement of the rules, possible extension of time, and probable revision of the option provision for the wars duration, lest there be an adverse effect on time clearance for sustaining programs, which these days almost without exception are tied into the war effort.

Presidents Niles Trammell, of NBC, and William S. Paley, of CBS, have repeatedly contended that application of the regulations would kill incentive for production of sustaining programs and result in destructive competition which could mean only deterioration of overall service. It is thought the FCC will move slowly in the light of wartime conditions.

Legislative Plans

The all-out effort for remedial legislation got under way simultaneously with the Supreme Court's ruling which had been expected for several weeks. Under the leadership of NAB President Neville Miller, a group of industry representatives conferred in Washington several times last week and agreed that the White-Wheeler measure should be supported. Hearings are scheduled to get under way on that bill before a five-man subcommittee headed by Senator Wheeler (D-Mont.) on May 25. The industry is expected to present a strong case, through the NAB, the Federal Communications Bar Assn., NBC, CBS, and probably other groups.

Promptly after the decision was handed down Mr. Miller said:

"Hearings on the White-Wheeler Bill to review the present Communications Act are set to commence May 25th. Today's decision of the Supreme Court once more emphasizes the necessity for prompt Congressional review of the radio law in the light of present development of the broadcasting art."

Whether Mutual, which along with the FCC emerged victorious in the Supreme Court fight, will foster new legislation was not indicated, but the conciliatory statement of Miller McClintock, recently named president of that network, was favorably received. While Mr. McClintock welcomed application of the rules "without apprehension" and failed to reflect the misgivings of the other networks, he recognized that if the rules fail to accomplish the desired results his network will be among the first to seek a more equitable solution.

FCC Network Regulations As Finally Promulgated

THE FCC's network regulations, affirmed and validated by the decision of the Supreme Court May 10 as finally revised, were promulgated Oct. 11, 1941, to become effective November 15, 1941. The subsequent appeals on October 30, 1941, by NBC and CBS resulted in indefinite postponement of the regulations pending their adjudication.

As things stand now the regulations as finally modified, would become effective June 14, barring a rehearing by the Supreme Court or Congressional intervention.

The last official release of the FCC, on Oct. 11, 1941, outlining the final form of regulations follow in full text. Instead of becoming effective Nov. 15, 1941, as stated, however, under present authority they are scheduled to become effective June 15:

Text of Order

AT A MEETING of the FCC held at its offices in Washington, D. C., on the 11th day of October, 1941.

The Commission having under consideration the petition of the Mutual Broadcasting System, filed August 14, 1941, requesting that the Commission amend its order entered in Docket No. 5060 promulgating regulations applicable to radio stations engaged in chain broadcasting by modifying the regulations dealing with option time and the duration of affiliation contracts, having heard oral argument on said petition and having reconsidered its report and order in Docket No. 5060.

IT IS ORDERED, That the Commission's order of May 2, 1941, entered in Docket No. 5060, BE, AND THE SAME IS HEREBY, AMENDED in the following particulars:

Sections 3.102, 3.103, and 3.104 of the Regulations set forth in said order are hereby amended to read as follows:

Section 3.102. No license shall be granted to a standard broadcast station having any contract, arrangement, or understanding, express or implied, with a network organization which prevents or hinders another station serving substantially the same area from broadcasting the network's programs not taken by the former station, or which prevents or hinders another station serving a substantially different area from broadcasting any program of the network organization. This regulation shall not be construed to prohibit any contract, arrangement, or understanding between a station and a network organization pursuant to which the station is granted the first call in its primary service area upon the programs of the network organization.

Section 3.103. No license shall be granted to a standard broadcast station having any contract, arrangement, or understanding express or implied, with a network organization which provides, by original term, provisions for renewal, or otherwise for the affiliation of the station with the network organization for a period longer than two years: *Provided*, That a contract, arrangement, or understanding for a period up to two years, may be entered into within 120 days prior to the commencement of such period.

Section 3.104. No license shall be granted to a standard broadcast station which options [1] for network programs any time subject to call on less than 56 days' notice, or more time than a total of three hours [2] within each of four segments of the broadcast day, as herein described. The broadcast day is divided into 4 segments, as follows: 8 a.m. to 1 p.m.; 1 p.m. to 6 p.m.; 6 p.m. to 11 p.m.; 11 p.m. to 8 a.m.[3] Such options may not be exclusive as against other network organizations and may not prevent or hinder the station from optioning or selling any or all of the time covered by the option, or other time, to other network organizations.

The last paragraph of said order is hereby amended to read as follows:

"IT IS FURTHER ORDERED, That these regulations shall become effective immediately: *Provided*, That with respect to existing contracts, arrangement or understandings, or network organization station licenses, the effective date shall be deferred until November 15, 1941; *Provided further*, That the effective date of Regulation 3.106 with respect to any station may be extended from time to time in order to permit the orderly disposition of properties; and *Provided further*, That the effective date of Regulation 3.107 shall be suspended indefinitely and any further order of the Commission placing said Regulation 3.107 in effect shall provide for not less than six months' notice and for further extension of the effective date from time to time in order to permit the orderly disposition of properties."

T. J. SLOWIE, Secretary.

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[1] As used in this section, an option is any contract, agreement, or understanding, express or implied, between a station and a network organization which prevents or hinders the station from scheduling programs before the network agrees to utilize the time during which such programs are scheduled, or which requires the station to clear time already scheduled when the network organization seeks to utilize the time.

[2] All time options permitted under this section must be for specified clock hours, expressed in terms of any time system set forth in the contract agreed upon by the station and network organization. Shifts from daylight saving to standard time or vice versa may or may not shift the specified hours correspondingly as agreed by the station and network organization.

[3] These segments are to be determined for each station in terms of local time at the location of the station but may remain constant throughout the year regardless of shifts from standard to daylight saving time or vice versa.

In addition to the impending Senate hearings, attention also was focused upon the House Select Committee investigation of the FCC, particularly since there have been indications recently that after its investigation this five-man group proposes to make legislative recommendations to the House. Renewed signs of activity also were seen in the House Interstate & Foreign Commerce Committee, with Chairman Bulwinkle (D-N. C.), of its communications subcommittee, predicting consideration of new legislation within a few weeks.

Two Divisions

The White-Wheeler bill, upon which greatest reliance is now placed, would reorganize the FCC into two autonomous divisions of three members each—one to handle broadcasting and related matters, the other common carrier activites. The functions of the Commission would be clearly delineated, eliminating all doubt as to the Congressional intent. Senator White, who in collaboration with Chairman Wheeler drafted the measure, is understood to be considering further changes dealing directly with the network issues and eliminating any semblance of FCC control over contractual relations between networks and affiliations.

While the only fundamental question involved in the network appeals was that of jurisdiction of the FCC over business dealings of networks with affiliates, Justice Frankfurter went far afield in covering the scope of FCC jurisdiction and the Congressional intent. Although such observations and comments are regarded as dicta, not having a direct bearing on the issue before the tribunal, they nevertheless are considered significant in view of the judicial trend conferring more and more authority on administrative agencies.

Broad in Scope

The court's ruling was admittedly a smashing victory for the FCC. There were no signs, however, of exuberance around the Commission following the decision, presumably because of the split court vote and the virtual mandate by both majority and minority of the court that the proper forum for the industry is Congress. Moreover, it was generally recognized that the court's ruling, because of its revolutionary character, would galvanize Congress into action.

The powerfully-worded dissenting opinion of Justice Murphy, concurred in by Justice Roberts, also curbed FCC enthusiasm.

FCC-DCB Chairman Fly has steadfastly opposed any efforts toward revision of the Communications Act, despite its ancient vintage. The radio portion of the existing Act was written in 1927—at a time when network broadcasting was just getting under way. Chairman Fly, who has conferred intermittently with the network heads regarding revision or modification of the regulations, even in their present form, evidently has urged against any legislative steps. He repeatedly has expressed indignation over industry efforts to foster new legislation, presumably on the ground that the courts would decide the issue with finality.

Capital Meeting

At a meeting in Washington last Tuesday, called by President Miller, the legislative picture was canvassed in the light of the Supreme Court's ruling. Present, in addition to Mr. Miller, were F. M. Russell, NBC Washington vice-president; William B. Dolph, WOL-MBS, Washington; Earl C. Gammons, CBS Washington director; Joseph H. Ream, CBS vice-president and

(*Continued on page 54*)

Nets Receive Decision Blow Calmy

'Status Quo to Go On,' 'Up to Stations' Are Comments

WORD of the Supreme Court decision upholding the authority of the FCC to issue its network monopoly regulations was received calmly by the nationwide networks. NBC and CBS, which had instituted the court action in an attempt to enjoin the Commission from putting the rules into force, notified their affiliates that it will be some time before the new rules can be put into effect and that they will notify the stations of necessary contract changes before that time.

Mutual, which had sided with the FCC, sent to its affiliates copies of a statement given to the press by the network's president, Miller McClintock, pledging the network's cooperation to both the FCC and the broadcasting industry. [See Page 24].

Practical Effect

Memorandum of CBS president William S. Paley to his network pointed out that because the practical effect of the rules will depend on the way they are administered, "we plan to confer with the Commission and determine, if possible, the explicit interpretation which will be placed upon each rule in connection with our present operations and contract relationships with stations" [See Page 22].

Niles Trammel, NBC president, sent the following message to NBC stations: "The United States Supreme Court in a decision rendered today (May 10) held that the FCC was within its jurisdiction in the promulgation of the long contested network regulations. These regulations cannot go into effect earlier than ten days from the filing of the mandate of the Supreme Court with the three-judge Federal court which originally heard the case. Before the regulations go into effect we will advise you of any necessary contract changes to conform with the regulations. You may rest assured that every effort will be made on the part of your network to keep broadcasting functioning efficiently".

In a press release, Mr. Trammel pointed out the "grave responsibility" of the Commission is so to administer its rules as to enable the continuation of a "satisfactory service to the public" [See Page 20].

The BLUE Network alone issued no public statement on the decision, but in the weekly closed channel talk with its stations BLUE executives pointed out that the BLUE had been organized as a separate network company after the FCC had announced the new rules and had operated with the knowledge that these rules might some day be put into effect.

The stations were reminded that their experience has shown that the future can be best assured by affiliation with a strong network and that the cooperation between the network and its stations which has proved mutually profitable in the past should continue so in the future.

This danger of special supernetworks was stressed by the American Assn. of Advertising Agencies and the Assn. of National Advertisers in their briefs submitted to the Supreme Court in support of the opposition of NBC and CBS to the FCC rulings [BROADCASTING, Jan. 25, Feb. 8]. Neither of these organizations would comment on the decision last week. Frederick R. Gamble, managing director of the AAAA, said: "The brief is our statement. I don't think we feel any differently now than we did then."

Private Net Problems

Nor was any comment forthcoming from any national advertiser or agency. It is common knowledge that the possibility under the new regulations for the formation of such private networks has been discussed in the past but a number of leading agencies contacted by BROADCASTING last week unanimously denied any present plans for taking such a step.

The present network system has worked out profitably for themselves and their clients, they said, and there would be a big risk in upsetting it. Furthermore, to set up an individual network would require building up new departments to handle its operations, an almost impossible task in view of the shortage of experienced personnel. The consensus seemed to be that unless application of FCC regulations of itself so upsets normal network operations as to necessitate such a move, it was unlikely any advertiser or agency would initiate it, in the near future, at least.

Effects of the rulings have already been mitigated to a considerable extent. All networks have organized affiliate boards which meet periodically with network executives to work out mutual problems, giving the affiliates a voice in the formation of network policies. All networks have also instituted full-network discount plans which have induced many national advertisers to place their network programs on small or isolated stations not formerly included on their network schedules, to the profit of these affiliates, which will not be apt to risk being excluded from these plans by angling for business from other networks.

Effect of Rules

Of the eight rules promulgated by the Commission, no network is currently affected by those guaranteeing the stations the right to reject network programs or to establish their own national spot time rates. The rule banning operation of two networks by a single organization has been suspended following the separation of the BLUE from NBC. CBS alone would be affected by the rule prohibiting the requirement that an affiliate agree to take no programs from another network, while the converse rule against a station's requiring territorial exclusivity from its network would affect CBS and MBS.

Restriction of network ownership of stations in cities where there are not enough stations to permit all four networks to have individually exclusive affiliates would require CBS to dispose of WBT, Charlotte, and might, if broadly interpreted, result in the sale of other network-owned stations in markets where these outlets are the dominating stations. All networks would be affected by the limitation of station contracts to a two-year period.

Chief difficulties in operation under the new rules, however, would result from the one limiting network option of station time to restricted hours and making those limited options non-exclusive against other networks, as well as lengthening the recall time from 28 to 56 days. It is this rule which might conceivably lead to the breakdown of consistent network affiliations and to the establishment of special private super-networks.

Industry opinion in New York is generally that the status quo will be continued for some time. In view of the changed conditions since the rules were first laid down two years ago, it is believed the Commission will not put the regulations into effect without conferring with network executives.

Station relations executives generally agreed that the effect of the new regulations will depend largely on the attitude of the stations. Pointing out that the rules do not require stations to take programs from other networks, although enabling them to do so, they expressed the belief that most of their affiliates would pass up such offers, realizing that the ultimate effect of accepting them would be to weaken or possibly destroy the present network formula which has proved so profitable for networks, stations and advertisers alike.

It should be obvious, they said, that if stations consistently and in large numbers reject network prestige sustaining programs, such as major symphony orchestras or public forums, in favor of outside commercial shows, the networks will be forced to discontinue their public service features and disintegrate into mere time brokers.

These network executives also agreed that by and large their affiliates would be less susceptible to the offerings of other networks than they would be to proposals from national advertisers or advertising agencies who might attempt to set up their own networks of major market stations by contracting for choice blocks of time across the board, contracts which would assure these stations a series of top-ranking programs which are now divided among the affiliates of the various networks.

AS NEW SPONSOR of the thrice-weekly quarter-hour news commentary, these executives of Fisher Flouring Mills Co., Seattle, stood by with network sales manager and announcer while Bill Henry (seated) recently prepared material for his program, *By the Way*, on 6 NBC Pacific stations. On-looking quartet (l to r) are Clinton (Buddy) Twiss, announcer on the series; J. S. Davis, and E. G. Lawrence, sales manager and California sales manager, respectively, of Fisher Flouring Mills Co., and Frank A. Berend, western division sales manager of the network.

NEITHER LACK of manpower nor flat tires shall hinder the movement of the studio grand at WDAY, Fargo, N. D. Ken Kennery, program director, inflates one of the three sturdy rubber tires that replaced wooden legs thus enabling women staff members to move the piano around the studio. Marjorie Moore, WDAY, vocalist, looks on.

Personna on WJZ

PERSONNA BLADE Co., New York, is publicising style news of interest to men in a twice-weekly ten-minute program, *News for Men*, which started on WJZ, New York, May 19. Program features Ken Farnsworth, commentator. New program follows 13 week cycle of spot announcements started in March. Agency is Amos Parrish Co., New York.

Summer Show Lineup Resembles 1942

War Affecting Decisions Of Some Sponsors This Year

AMERICA'S second war summer will show little change as far as network schedules are concerned from last year's warm weather fare. Listeners will find some favorites taking the hiatus to which contracts entitle them; others will be replaced as in the past.

The war, however, has effected decisions by some advertisers. Many agencies reported conferences with their clients in progress last week or scheduled for the coming fortnight to decide on possible summer replacements or whether to discontinue until fall.

NBC Most Definite

NBC seemed most definite on its summer schedule with the following sponsors pretty well assured last week of continuing their programs without a summer break: American Tobacco Co., Kay Kyser, *Your All Time Hit Parade;* Bell Telephone System, *Telephone Hour; Cities Service Concert;* E. I. Du Pont de Nemours Co., *Cavalcade;* Emerson Drug Co., *Ellery Queen;* Firestone Tire & Rubber Co., *Voice of Firestone;* General Electric Co., *Hour of Charm;* Kraft Cheese Co., *Music Hall;* Molle Co., *Battle of the Sexes;* Philip Morris & Co., Ginny Simms; R. J. Reynolds Tobacco Co., *Garry Moore Show,* with Jimmy Durante expected to drop out of the program; Sealtest Inc., Rudy Vallee; Time, Inc., *March of Time;* Westinghouse Mfg. Co., *Westinghouse program.*

General Foods Corp. has annonounced plans for Jack Benny to vacation May 30 to Sept. 26 with *Those We Love* currently on CBS, as the fill-in. The company will give its Maxwell House *Coffee Time* show an eight-to-ten week hiatus, starting July 3; *The Aldrich Family* probably a four-week vacation, but has not yet designated replacements for either. Standard Brands will take the *Chase & Sanborn Hour* off NBC May 30 to give Edger Bergan an opportunity to tour army camps. A musical program, rumored to feature Paul Whiteman's orchestra, is slated to take its place.

Ruthrauff & Ryan has purchased a package program entitled *That's Life* with Fred Brady to replace Bob Burns for Lever Bros. Co., effective July 8. The 13-week series will feature Brady, M-G-M comedian, with other comics doing guest stints. Lever's second show on NBC, *Tommy Riggs & Betty Lou,* may go off, as Riggs expects to go in the army. This is not definite. Eddie Cantor leaves the network June 30 until fall. Bristol-Myers Co. will replace him with *A Date With Judy.* Procter & Gamble Co. will give Ralph Edwards and *Truth or Consequences* a two-month respite starting June 26, and plans no replacement.

Information Please will be taken off NBC by H. J. Heinz Co. July 12 for an eight-week vacation with no substitute planned. Bob Hope is expected to go to London with some of the cast of his Pepsodent Co. show after his June 29 broadcast. It is rumored that Johnny Mercer and Freddie Stack may be signed for the summer.

NBC's Procter & Gamble show, *Abie's Irish Rose,* is uncertain. Raleigh's Red Skelton show will be replaced effective June 7 by *Beat the Band* as a summer test. Show will be m.c.'d by Hildegarde and is a music quiz. If successful it will continue next fall, according to the agency, Russel M. Seeds Co., Chicago. Kraft Cheese Co. June 27 discontinues *The Great Gildersleeve,* Sundays, at 4:30, for eight weeks.

Shows to stay on the BLUE so far include Coca Cola Co., *Victory Bands, Morton Downey;* Carter Products, *Inner Sanctum Mysteries;* Ironized Yeast, *Good Will Hour;* Andrew Jergens Co., *Chamber Music Society;* Dr. Earle S. Sloan, *Gangbusters.*

Bristol-Myers will replace *Duffy's* with Haven MacQuarrie's *Noah Webster Says,* effective July 6. J. Walter Thompson is replacing J. B. Williams Co.'s *True or False,* which goes off the BLUE the end of June. Dubonnet may extend Alec Templeton's five-minute thrice weekly series to a half-hour, while M-G-M is looking for a replacement for Victor Borge, currently in Hollywood, but who will go in the army.

Jergen's will make up its mind on Walter Winchell for summer and next year's option, probably within two weeks. Indefinite as to continuance or replacement are Ford Motor Co., *Watch the World Go By;* American Cigarette & Cigar Co., Gracie Fields, who may return to England; Miles Laboratories, *Quiz Kids,* and Wheeling Steel Corp., *Musical Steelmakers.*

CBS shows due to continue are American Tobacco Co., *Your Hit Parade;* Armstrong Cork Co., *Theatre of Today;* P. Ballantine & Sons, *Three Ring Time;* Campbell Soup Co., *Radio Readers Digest;* Celanese Corp. of America, *Great Moments in Music;* Chrysler Corp., *Major Bowes;* Coca Cola Co., *Pause That Refreshes on the Air;* Emerson Drug Co., *Vox Pop;* Eversharp Inc., *Take It or Leave It;* General Foods, *Adventures of Thin Man;* Gulf Oil Corp., *We, The People;* Lady Esther, *Screen Guild Players;* Prudential Insurance Co. of America, *Family Hour* with a possible shift in talent; R. J. Reynolds Tobacco Co., *Blondie, Thanks To The Yanks;* Schenley Import Corp., *Cresta Blanca Carnival* and Pabst Sales Co., *Blue Ribbon Town.*

Fred Allen Goes Off

Although Texas Co. is taking Fred Allen off CBS June 27, the company has not yet decided whether a musical show starring James Melton and Al Goodman's orchestra will replace. Campbell Soup is taking the Milton Berle show out of the Wednesday 9:30-10 p.m. period on CBS, replacing with a program built around Jack Carson, June 2. The *Lux Radio Theatre* goes off CBS July 12, to return for Lever, Sept. 13. E. R. Squibb & Sons will substitute another morale-building show for *Keep Working, Keep Singing America* on June 13. Liberty Magazine's *Ghost Shift* goes off May 21, with fall return undecided. General Electric Co. will discontinue Frazier Hunt's thrice weekly news on CBS May 29. A replacement may be announced next week.

No plans have been announced for Colgate-Palmolive-Peet Co.'s Al Jolson; R. J. Reynolds *Camel Caravan;* Corn Product's *Stage Door Canteen;* General Food's Kate Smith; Ironized Yeast's *Lights Out,* or Lever Bros. *Mayor of Our Town.* Lever plans to repl Burns & Allen June 29.

Lutheran Laymen's League planning to continue its hour Mutual, although in the past it h taken a summer vacation. Co Products has extended its *Treas Hour of Songs* Thursday night Mutual for an additional four we through June 3. While Raym Clapper remains in Sweden Pe Sullivan is handling his twice we ly news program sponsored General Cigar Co. New series cently started on MBS is *Tak Card,* audience participation sh sponsored by Lehn & Fink Produ Co. on 204 stations. Details other Mutual shows, which may replaced or go off for the summ are not yet available.

CBS, OWENS-ILLINOIS closed circuit preview of the new show, *Your Home Front Reporter,* at Washington's Carlton Hotel found in attendance (l to r): Col. C. F. Shook, who spoke for the Surgeon General; Steve Mudge and V. M. Wallace, D'Arcy Adv. Co.; William Temple, Washington manager, Owens-Illinois: S. L. Rairdon, vice-president and general sales manager, Owens-Illinois; Howard A. Trumbull, merchandising manager, Owens-Illinois; Earl H. Gammons, CBS Washington director. From their offices, Morse Salisbury, information director for the War Food Administrator, and Gardner Cowles Jr., OWI director of domestic operations, spoke over the closed wire.

Summer Schedule Of General Mil

Lines Up News Broadcasts a Continues Child Programs

ALTHOUGH General Mills, Min apolis, is not sponsoring broadcas of ball games this year, the co pany has been lining up news p grams on both network and basis for Wheaties through Reeves Adv., Minneapolis. On 7, G-M started sponsorship of Gunther in a quarter-hour com tary Friday and Saturday nings at 10-10:15 on 59 BLUE tions, while an unrevealed nu of stations are carrying local casts under G-M sponsorship Wheaties. Contract for the Gunther series is for 26 weeks.

Juvenile Series

For the first time, General Mi is continuing through the summ although on a partial basis, with two children's programs on BLUE, *Jack Armstrong* at pres on 95 stations for Wheaties Mo day through Friday at 5:30 (th repeats at 6:30, 7:30, and 8:3 and the *Lone Ranger,* now heard 48 stations, Mondays, Wednesd and Fridays at 7:30-8 p.m. for K

Effective May 31, however, f 13 weeks throughout the summ G-M will sponsor *Jack Armstr* on Tuesdays and Thursdays and will be carried sustaining on Mo days, Wednesdays, and Frida The *Lone Ranger,* effective Jun will be sponsored by G-M Wednesdays and Fridays broadcast sustaining on Monda Under terms of a 52-week renew contract effective May 31 full spo sorship of both shows will be sumed in the fall. Blackett-Samp Hummert, Chicago, is agency Kix, while Knox Reeves hand Wheaties.

CBS-Nielsen Contract

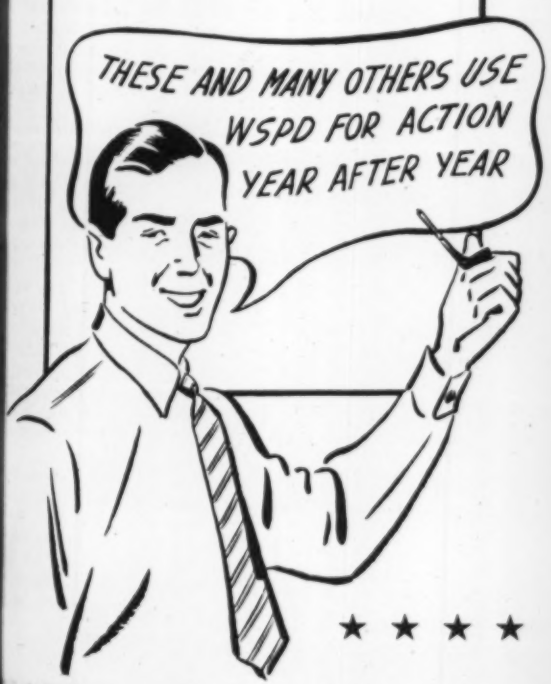
CBS has contracted with A. Nielsen Co. for its continuing me urement of listening habits, which the research firm utilizes Nielsen Audimeter. Nielsen is cu rently negotiating with NBC, a the BLUE also has the service der consideration.

XUM

NATIONAL SPOT ADVERTISERS WANT ACTION

... AND THEY GET IT WHEN THEY USE WSPD

Berry Brothers	Roman Cleanser
B. C. Remedy	Smith Brothers
Bulova	Rem
Dr. Caldwell	Socony Vacuum
Carters	Sofskin
Colgates	Studebaker
Continental Baking	United Drug
Ex-Lax	Kroger
Arrid	Vicks
Foulds	Wyandotte
Silver Cup Bread	Coca Cola
Jelke	Hi-Speed
Tek Toothbrush	Groves Bromo
Lever Brothers	Doans
Ludens	City Loan
Mentholatum	Kasco
Musterole	Ohio Bell Tel
P & G Ivory	Tasty Bread
Pertussin	Raisin-Bran
Soilex	Supersuds



You Must Have Audience to Get Results . . . And "The Voice of Toledo" Has That Audience.

- ★ **COVERAGE MAPS PROVE IT**
- ★ **SURVEYS PROVE IT**
- ★ **ADVERTISERS PROVE IT**

Years ago WSPD decided that to "get" you must "give". And in the word "give" we mean:—Service, Top Audience Programs, Public Events, Local Showmanship — truly the finest in radio entertainment! Result? — 21 years of honest-to-goodness work has made the people of this Community more than just WSPD-CONSCIOUS—WSPD is their "Listening Habit". That's important!

Our Advertisers Get Action
Because Quality and Service Are Items
We Don't Ration

BASIC NBC

JUST ASK K.A.T.Z.

WSPD
5,000 WATTS
TOLEDO, OHIO
IF IT'S A FORT INDUSTRY STATION
YOU CAN BANK ON IT
A FORT INDUSTRY STATION

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

Durr Demands Cox Dismissal From House Probe Committee

Claims Congressman Has 'Personal Interest' in Proceedings, Criticizes Committee Methods

ANOTHER episode in the controversy provoked by Commissioner Clifford J. Durr, of the FCC, with the House Select Committee to investigate the organization, personnel and activities of the Commission, erupted last Thursday with the demand by Commissioner Durr that Chairman E. E. Cox (D-Ga.), of the House Committee, be disqualified because of "bias" and "prejudice" as well as "personal interest" in the proceedings.

Releasing to the press for Friday morning papers a petition filed with Speaker Rayburn and a letter to the five members of the Select Committee, along with a memorandum in support of the petition, Commissioner Durr in dramatic fashion included in his "handout" facsimiles of a $2,500 check issued to Rep. Cox by WALB, Albany, and of the check voucher showing it as in payment for "legal expense". He claimed that Judge Cox, by virtue of his personal interest in WALB, could not properly discharge his duties.

Refused to Answer

The formal petition demanding Judge Cox's disqualification followed the refusal last month of Mr. Durr to answer a questionnaire inquiring into his personal financial affairs, copies of which also had been sent other members of the FCC and, it is understood, have been answered in almost every instance.

Mr. Durr protested the handling of the preliminary inquiry by the committee's chief counsel, Eugene L. Garey, of New York, and said he was unwilling to testify before the Committee and certainly not before Congressman Cox or Mr. Garey in closed session. He added he was unwilling to furnish the Committee staff any further information unless and until the House, with a full knowledge of the facts, indicates its desire that the Committee, as now constituted, should continue with the investigation, or indicate it does not "deem such facts are of sufficient importance to warrant its attention." If the House so indicates, Mr. Durr said he would appear and answer all questions.

President Roosevelt, asked at his press conference last Friday about the Cox incident and the failure of the Dept. of Justice to act, said he knew nothing about it. He commented he had heard something about the case in the past but had no new information.

Speaker Rayburn made no comment after receipt of the petition. He referred the whole matter to the Judiciary Committee. Judge Cox, however, remarked:

"Nowhere does Durr disclose that the resolution to investigate the Commission was pending long before the Commission's effort to implicate me. We (the Committee) are not going to be smoked out in such a manner as this. We are going to wait until all our investigative material is collected and then we will start hearings in an open and orderly manner. These boys down at the FCC have just waked up and discovered that they are being investigated. Congress could disqualify me if it wanted to. The question is whether Congress will."

Garey Silent

Mr. Garey maintained his policy of no public discussion of the inquiry until public hearings are held. It was generally presumed, however, that Mr. Durr, as the Commission's newest member, was carrying the burden of the controversy for the Commission's majority. There was some thought that the majority was endeavoring to bait Judge Cox into open controversy on the proceedings and to force public hearings.

Commissioner Durr tossed the gauntlet not only to the House but to the Dept. of Justice, observing that criminal charges had been made against the Cox alleged representation of WALB, in view of criminal code provisions. He reported, however, that "so far as petitioner is advised, such matter is still under consideration by the Attorney General."

The FCC is in bad odor in the House also because of its failure to discharge two employes of the Foreign Broadcast Intelligence Service, created by Chairman Fly, on grounds of purported affiliations with Communist front organizations. House action is expected demanding their severance from the FCC payroll as a rider to the pending Deficiency Appropriation Bill.

In addition to the petition (full text herewith), Mr. Durr addressed an identical letter to the five members of the Committee—Judge Cox himself; Wigglesworth (R-Mass.); Magnuson (D-Wash.); Hart (D-N. J.), and Miller (R-Mo.).

He pointed out he has on several occasions objected to the procedure being followed by the Committee staff in obtaining information, asserting they were unnecessarily hampering the Commission in the performance of its duties and did not afford assurance that the members of the Committee or of Congress would receive all the information they should have. Moreover, he said certain specific inquiries from the Committee staff seemed to call for information of an entirely personal nature, in which he assumed the members of the Committee were not interested.

Removal of Files

"In addition to these objections to inquiries addressed to me individually, I have also opposed the action of my fellow Commissioners in permitting the carting away by truck of Commission files when time was not allowed even to list what was taken or to see to it that irreplaceable Government records were properly receipted for," Mr. Durr said. (Presumably he referred to the confidential minutes of Commission meetings taken over by the Cox committee, along with other official files [BROADCASTING, May 10]).

Mr. Durr recited that a further incident had arisen. He said Dr. Robert D. Leigh, director of the FCC's Foreign Broadcast Intelligence Service, was called in by the Committee last Monday (May 10) and asked to testify with no member of the Committee present. Dr. Leigh was denied his request that a transcript be made available to him and after his unwillingness to testify under oath in closed session was promptly served with a subpoena and ordered to testify in closed hearing with only one member of the Committee present—Judge Cox. While Mr. Durr's letter did not say so, it was learned that Judge Cox remained only briefly and that Dr. Leigh was questioned at length regarding activities of his bureau, and the failure of the FCC to follow the Congressional instruction that Dr. Goodwin Watson and William E. Dodd Jr., FBIS employes, be discharged for alleged Communist front sympathies. Such a recommendation was made by the House Appropriations Subcommittee last month, but the FCC, by a 4-3 vote, refused to discharge the men. The matter is being reconsidered in the House, with renewed demand expected for the discharge.

Contempt Considered

Also reported but not related in the Durr letter was the fact that Mr. Garey called Chairman Fly regarding Dr. Leigh's refusal to testify unless a transcription was supplied him. In this telephonic exchange, Chairman Fly was told that the Committee would not release transcript and that witnesses would be subpoenaed if they did not testify voluntarily. The extreme measure of citing witnesses for contempt of the House has been under consideration in connection with refusals to testify.

Commissioner Durr said in his letter that the Leigh incident and the requirement that witnesses testify behind closed doors before Congressman Cox alone "raises an issue even more fundamental than the procedure previously adopted, and

(*Continued on page 52*)

TEXT OF DURR PETITION

Text of petition filed with Speaker Rayburn seeking disqualification of Rep. Cox (D.-Ga.) as chairman of the select committee to investigate the FCC:

I, Clifford J. Durr, a citizen of the United States and a duly qualified member of the FCC (hereinafter sometimes referred to as the "Commission"), respectfully petition the House of Representatives of the Congress of the United States that the Hon. E. E. Cox be disqualified by said House as a member of its Select Committee appointed pursuant to House Resolution 21, 78th Congress, 1st Session, to investigate the organization, personnel and activities of the Federal Communications Commission, for the following reasons:

1. That said E. E. Cox has a personal interest in the investigation authorized by such resolution in that:

(a) Such resolution was introduced by the said E. E. Cox and he was at the time of the introduction of such resolution and at the time of the adoption thereof the record owner of $2,500 aggregate par value of stock of Albany Herald Broadcasting Company and, so far as petitioner has been able to ascertain, is still the record owner of such stock; proceedings are now pending before the Commission to determine whether or not the renewal of a license heretofore issued by the Commission to Herald Publishing Co., an affiliate of Albany Herald Broadcasting Co., for the operation of the broadcasting station in Albany, Georgia, and the transfer of such license to Albany Herald Broadcasting Co. will be in the public interest; the facts indicate that the said E. E. Cox, in introducing such resolution, was motivated to a large degree, if not wholly, by the Commission's activities in connection with the ownership of Station WALB.

(b) The $2,500 of stock above referred to was purchased by the said E. E. Cox with the proceeds of a check in the amount of $2,500 issued by Albany Herald Broadcasting Co. to the said E. E. Cox accompanied by a voucher stating that said check was in payment of "legal expenses"; the Commission being of the opinion that such information should be submitted to the Dept. of Justice for a determination as to whether or not such payment was made for services rendered by the said E. E. Cox in an endeavor to secure favorable action in connection with applications filed with the Commission with respect to said broadcasting station and was therefore in violation of Section 113 of the Criminal Code of the United States, the matter was, pursuant to unanimous action of the Commission, duly reported to the Attorney General of the United States for appropriate action; so far as petitioner is advised such matter is still under consideration by the Attorney General.

In his remarks in support of House Resolution 21 Congressman Cox stated on the floor of the House on Jan. 19, 1943:

"Mr. Speaker: I am this morning bringing to you a matter in which I have the deepest possible personal interest."

2. That the said E. E. Cox, prior to this appointment to the Select Committee had already prejudged and condemned the Commission, its personnel and activities and has shown himself to be biased, prejudiced, and lacking in the objectivity of mind requisite for a member of such Committee in that he, in a speech on the floor of the House on Jan. 19, 1943, in support of Resolution 21, accused the Commission of being "the nastiest nest of rats to be found in this entire country" and "a nest of Reds"; and has otherwise on numerous occasions publicly denounced in violent and intemperate language, the Commission, its personnel and activities.

Respectively submitted,
CLIFFORD J. DURR

May 13, 1943.

XUM

The Truth Shall Make Them Free

Across the seas, over the desert, through battle itself, short-wave radio brings the truth to untold millions. The hunted people in occupied Europe listen for its words of hope and promise. Neighbor nations renew their confidence in our friendship. The whole world is drawn towards a free, tolerant, united world-to-come. ● Short-wave Station WBOS, Boston, Westinghouse owned and operated, and dedicated to the Four Freedoms, represents 22 years of Westinghouse development in international short-wave broadcast. Here in America, the same crystal-clear transmission of trustworthy programs makes Westinghouse standard broadcast stations popular with audiences and sponsors alike.

WESTINGHOUSE RADIO STATIONS Inc

WOWO • WGL • WBZ • WBZA • KYW • KDKA

Battery Production Better, Says WPB

April Rate Was 425,000 with Goal of Two Bs Per Set

BATTERIES for farm-type radios were produced at a rate of 425,000 a month in April, the WPB Consumers Durable Goods Division reported Friday, noting that the present output is more than double the rate of mid-March when a serious shortage of B Batteries was reported.

Cautioning that circumstances may prevent fulfillment of its plans, WPB said that it hopes to provide two batteries for every radio set, although only 1.4 batteries had been available in 1941. Increased supply of batteries per set was necessary, WPB said, in recognition of greater reliance of farmers on their radios. The statement estimated that rural sets now operate two hours more daily than before the war.

Sets Out of Operation

Stepped up production was arranged, the division said, when it was found that sets were going out of operation at a high rate. In February, WPB had admitted, only 200,000 batteries were made. [BROADCASTING, March 29].

The present production rate, 425,000 monthly, is 50,000 more than the average monthly output for 1941 when 1.4 batteries were made for each set. Even allowing for the increased number of sets now in use, WPB said the April rate meant 1.62 batteries per set.

Despite these encouraging reports the division said undue optimism was unwarranted since two factors could easily prevent attainment of the two battery-per-set goal. The first, the statement explained, was the abnormal backlog of requirements that had piled up in the last six months.

Second, the statement warned, was impossibility of assuring that the production rate could be maintained since prior claimants, including Army and Navy, might need facilities, manpower and critical materials involved.

Loan Firm Uses 27

SEABOARD FINANCE CO., Los Angeles (loans, investments), in a 30-day campaign which started May 15, is sponsoring live and transcribed announcements on 27 stations, to stress prompt payment of second installment on 1942 income tax. Pattern follows March campaign. Schedule is one to twelve announcements daily on each station. List includes KFOX, KFAC, KMTR, KFVD, KMPC, KFMB, KPMC, KGDM, KROY, KRTB, KROW, KJBS, KFRC, WLVA, WSLS, WITH, WCBM, WWDC, WGKV, WARM, KGBI, WBRE, WBAX, WROL, WDOD, WMPS, WAGA. Finance company, in addition, currently sponsors newscasts on KFI, KMPC, KPO and KSFO. Smith & Bull Adv., Los Angeles, has the account.

A DEPARTMENT STORE'S RECORD

Daily Quarter-Hour on KMBC, Kansas City, Boosts John Taylor Dry Goods Sales

WITH NO CHANGE in title, program format or broadcast time, *Joanne Taylor*, a retail promotion show, enters its eleventh year of successful selling on KMBC, Kansas City, for John Taylor Dry Goods Co.

More than ten years ago, the program was a bright idea in the brain of Maj. H. Kenneth Taylor, vice-president of the company, now in active service, and Fred M. Lee, general manager. Why not a dramatized presentation of store news? So they chose a Monday-through-Friday mid-morning time when the women of Kansas City at their household tasks could tune in conveniently for shopping news.

The 15-minute programs have an institutional flavor and practical results. Ostensibly presented as a service to Kansas City women who have known John Taylor's as a shopping center for 62 years, the feature promotes the sale of specific merchandise. Scene is the personal shopping office of "Joanne Taylor" where the store's "shopper" and others of the personnel carry on gossipy, informal conversation. During the course of the broadcast, merchandise is described in detail and prices given as it is shown to friends and customers who "drop in."

According to the store's executives, the program has not only been selling goods for the last decade but has won new customers. Today, in the face of wartime merchandise shortages, it spreads good will and develops customer cooperation. Patriotic and civic efforts also have their place on the program—Red Cross, War Bonds, blood donor drives.

Meredith Warner, advertising director of the firm, is in charge of the program, with R. J. Potts-Calkins & Holden agency handling the account.

JOANNE TAYLOR

LACK DIRECTS W-E N. Y. RADIO DIVISION

FREDERICK R. LACK, former officer of Western Electric Co., New York, who resigned last November to become director of the Army and Navy Electronics Procurement Agency in Washington, has been elected a vice-president of Western Electric by the company's board of directors. He will rejoin the company to direct its radio division in New York.

Mr. Lack

Mr. Lack's recent Washington assignment marked the second occasion during his 31 years with W-E when he has entered wartime services of the U. S. During World War I, he enlisted in the Signal Corps and saw action in France. He joined W-E in 1911 as an assembler and following his return from France in 1919 he was assigned to development work on radio telephony.

In charge of vacuum tube development from 1935 to 1939, when he became manager of W-E's specialty products division, Mr. Lack directed the engineering of tubes for use on ultra-high frequency radio and for high power operations, fundamental to the present manifold applications of radio in war operations.

Produces Jolson-Wooley

ASSUMING additional duties, William L. Lawrence, Pedlar & Ryan, producer of the weekly CBS Screen Guild Players sponsored by Lady Esther Ltd. (cosmetics), has taken over production of the Al Jolson-Monty Woolley Show, sponsored by Colgate-Palmolive Peet Co. (toothpowder) on that network, for the remaining weeks of the season. He replaced Bill Bacher, formerly producer of Sherman & Marquette, who resigned to devote full time to his motion picture commitments.

Stan-B on 29

A TOTAL of 29 stations will be used by Standard Brands Inc., New York, in a drive for the new vitamin product, Stan-B, starting in six West Coast states May 17 [BROADCASTING, April 19]. Spot schedule calls for 15 transcribed one-minute announcements weekly on the following stations: KTAR KOW KSUN KTUC KVOA KYUM KGLU KNX KFI KHJ KWQ KPO KFRC KMJ KARM KFBK KGW KEX KSL KDYL KUTA KFPY KHQ KGA KIRO KMO KJR KOL KMO. Agency is Ted Bates Inc., New York.

BOY SCOUT organizations are being solicited for filler announcements with wartime appeal for local use on stations carrying Mutual's *Superman* on a sustaining basis, until Kellogg Co. completes expansion of its sponsorship to the full network June 21.

Hammond Calumet Corp. Placed in Receivership

HAMMOND Calumet Broadcasting Corp., Hammond, Ind., operators of WJWC, Hammond, which went off the air last February, has been placed in receivership by the County Court of Chicago on petition of Marshall Field 3d, who filed suit for $200,000 loaned to the corporation. Mr. Field is a minority stockholder of the corporation. The majority interest is held by John W. Clarke, Chicago investment broker, who has been commissioned a major in the Army and is to be stationed at Charlottesville, Va.

Timothy P. Galvin, attorney of Hammond, Ind., has been appointed receiver, and Wm. R. Cline, who was general manager of the station and is a vice-president of the corporation, has been retained to liquidate the property. Among the remaining assets are a 5000 watt WE transmitter, two towers, speech input system and other equipment. Stock alignment of the corporation is: John W. Clarke, 51%; Dr. G. E. Courrier, Elgin Minister and original owner, 41%; Marshall Field 3rd and Doris Keane, former manager, 4% each.

Stauffer to L. A.

OUTLINING future OWI plans, Don Stauffer, chief of radio bureau, that organization, will address combined writer, talent, network executive and agency producer personnel of the Hollywood radio industry, during a meeting at NBC studios, that city, on May 27. Mr. Stauffer will be accompanied by Phil Cohen, his assistant and Washington deputy chief. Later will deliver an OWI report to radio. Mr. Stauffer will meet with Hollywood radio section executive committee of the Advertising Council on May 25.

'E' Award Broadcast

ARMY-NAVY "E" award ceremony of the Reliance Mfg. Co. at Loogootee, Ind., was broadcast May 15 by WLW, Cincinnati, and fed to WIRE, Indianapolis; WAOV, Vincennes; WBOW, Terre Haute, and WLS, Chicago. The governor, Army and Navy representatives, plant officials and dignitaries of the city appeared on the program. Broadcast was handled by Gordon Graham, assistant to James Cassidy, WLW-WSAI special events director.

Fur Shop Disc Series

PENN FIFTH AVE., New York fur store, is calling attention to its new and enlarged shop in a series of transcribed announcements on WHN and WNEW, New York. Campaign started April 28. Firm is new to radio, and plans to add other stations if its first venture is successful. Agency is Lester Harrison Associates, New York.

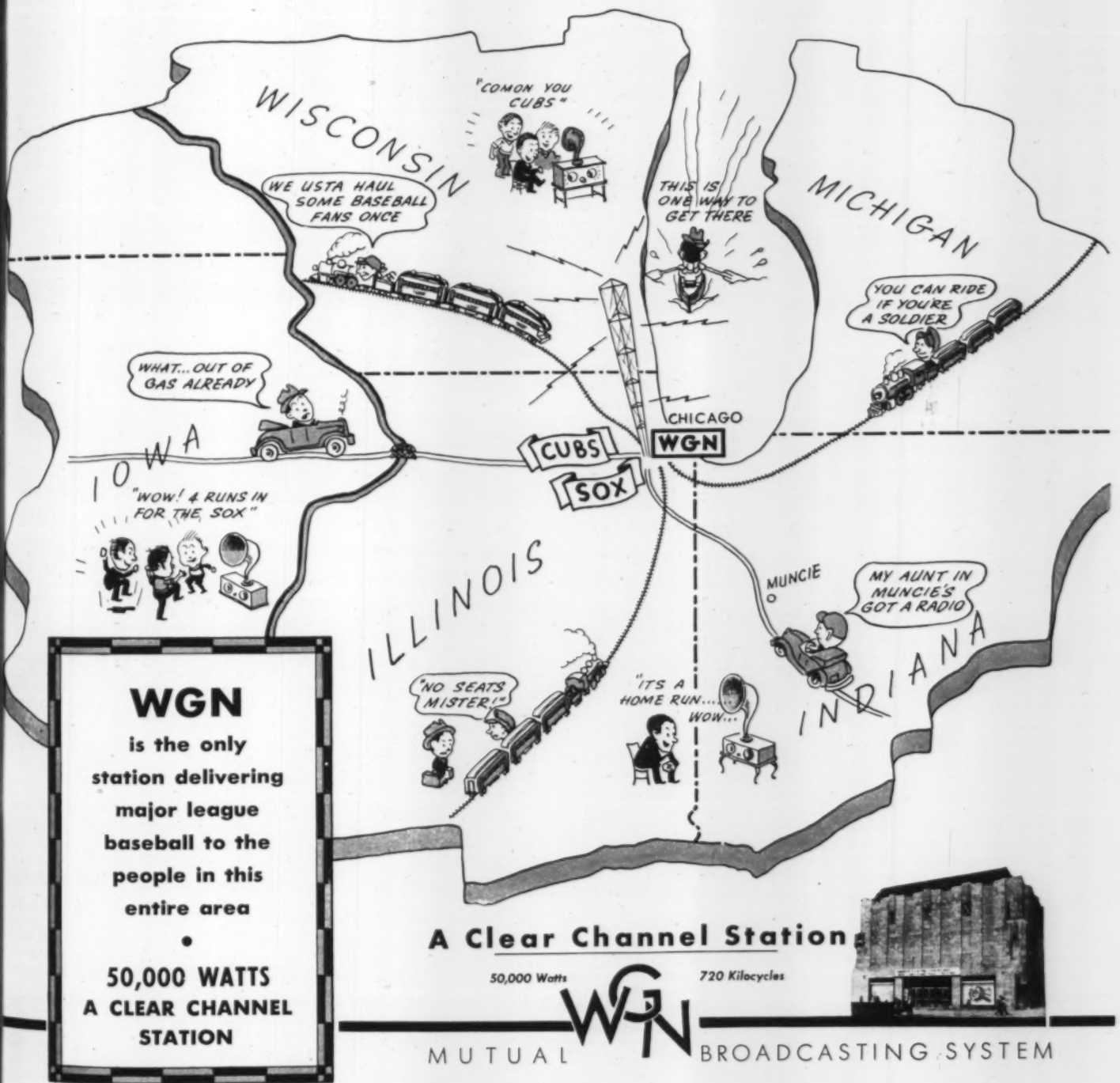
National 'E' Award

NATIONAL BATTERY Co. will use the full BLUE May 29, for a broadcast from its plant in Depew, N. Y., marking receipt of the Army-Navy "E" award. Participants will include military officials and Dorothy Thompson, BLUE commentator, who was born in a nearby neighborhood. Agency is Bronson West Adv. Co., St. Paul.

NOW... MORE THAN EVER BEFORE...

FROM CEDAR RAPIDS to Wrigley Field on an "A" card is a tough haul. The train from Wisconsin Rapids to Comiskey Park is crowded with people traveling on necessary war business. So . . .

THIS YEAR more than ever before, baseball to millions of fans in metropolitan Chicago and the five state surrounding area is going to mean the *WGN baseball broadcasts.*



WGN
is the only station delivering major league baseball to the people in this entire area
•
50,000 WATTS
A CLEAR CHANNEL STATION

A Clear Channel Station

50,000 Watts — 720 Kilocycles

WGN

MUTUAL BROADCASTING SYSTEM

EASTERN SALES OFFICE: 220 E. 42nd Street, New York, N. Y. ★ PAUL H. RAYMER CO., Los Angeles, Cal.; San Francisco, Cal.

AFM and Transcribers at Impasse

Negotiations Failure as Union Demands Boycott

NEGOTIATIONS between the American Federation of Musicians and the manufacturers of transcriptions were discontinued last Thursday evening, after extended discussion had failed to resolve the impasse created by the union's demand that the transcription companies agree to withold their recordings from any station cited as unfair by the AFM. The transcribers refused to comply with this boycott demand, which they described as "business suicide" as well as "of doubtful legality."

This is the second time in recent months that the AFM has proposed a plan for settling the strike against the transcription companies, in effect since Aug. 1, 1942, which the transcribers have rejected. The first, in mid-February, called for a tax on each recording to be paid by the recorders in addition to the regular wages to AFM members employed in making the disc, the money so collected to be used by the union for unemployment relief. In joint session, makers of transcriptions and phonograph records turned down this plan as embodying "a startling new kind of social philosophy" which would require Congressional approval before it could be accepted by a single industry.

Individual Negotiations

Subsequently, conferences between the union and the recorders were separated to permit individual negotiations as the two groups have different distribution problems. The phonograph record companies and the AFM, after one stormy session, decided that further conversations at this time would be fruitless. The transcribers continued their meetings with the union with both sides hopeful that a method could be worked out to permit these companies again to employ union musicians.

Next move is uncertain but it may well be a decision to submit the problem to the War Labor Board. In dismissing the suit of the Dept. of Justice for an injunction against the AFM, the Federal Court in Chicago held the disagreement to constitute a labor dispute, a ruling which was upheld by the United States Supreme Court. There is also a possibility that the Dept. of Justice, which filed and then withdrew a second suit, may start a third action.

Sen. D. Worth Clark (D-Ida.), chairman of the subcommittee of the Interstate Commerce Committee, authorized to investigate the AFM ban on recordings, has repeatedly said that if a satisfactory settlement were not reached through negotiations within a reasonable time he would resume hearings by the commitee, which recessed in January following the promise of James C. Petrillo, AFM president, that his union would submit a definite proposal to the recording industry.

Following the final meeting of the representatives of the transcription companies with Mr. Petrillo and the AFM executive board last Thursday, Mr. Petrillo could not be reached for comment. A union spokesman said negotiations had been temporarily discontinued while each side considered the proposals of the other, but that the meetings might be resumed in three or four weeks. The transcription group issued the following statement:

Transcribers' Statement

"Representatives of a number of electrical transcription companies have been meeting with the executive board of the AFM since Feb. 11 in an effort to effect a solution of the problems concerned in the strike of musicians against the electrical transcription industry which has been continued since Aug. 1 of last year, a period of more than 9 months.

"These meetings which started some weeks ago were concluded tonight (May 13) with both sides agreeing that an impasse had been reached.

"In a meeting last month a proposal was made to the union by the electrical transcription manufacturers that musicians be permitted to resume work on commercial advertising transcriptions with no further restrictions except that they be limited to one use or for a single broadcast on a station.

"For libraries it was proposed that they resume work on the basis of an increase in the pay of the musicians. This proposal first met with a favorable response from the Federation but they subsequently decided that the possible additional compensation was not a sufficient inducement for them to return to work.

"It appears that there is no dispute between the union and the employers on the general subjects of wages, hours and working conditions but the only basis on which the Federation is presently prepared to return to work is with the limitation that the recordings made be withheld from broadcast by stations deemed at any time unfair by the AFM. This boycott demand was rejected by the transcription companies because of their station and customer relations and its doubtful legality.

"The meeting was concluded with the understanding that the electrical transcription companies would be available to meet at any time the Federation had new proposals to make which did not involve the boycott principle.

"The above statement was made by the following companies: Associated Music Publishers Inc., Empire Broadcasting Corp., Lang-Worth Features Programs Inc., Muzak Transcriptions Inc., Radio Recording Division of NBC, Standard Radio, WOR Recording Studios and World Broadcasting System."

Club Over Local Station

Effect of compliance with the AFM proposed condition for permitting the reemployment of union members in making music recordings would be to give the AFM practically complete control over any station's supply of transcriptions. This lever could be used to force a station to employ whatever number of staff musicians the local AFM union in the station's community wanted to demand, under threat of depriving the station of its transcription service.

Industry attorneys have consistently held that a company which withheld service from a client because that client had been declared unfair by a union would be guilty of boycott. When the AFM has asked the networks to refuse to send musical programs to affiliated stations which had been placed on the union's unfair list the networks have declined to cut off service to any station on legal grounds, and have maintained that stand even when the AFM has removed remote music pickups from the complete network in order to prevent them reaching a single unfair station. In only one instance, when the AFM had ordered its members to stop work on all programs of MBS, studio as well as remote and commercial as well as sustaining, did the union succeed in forcing a network to halt service to an affiliate station.

The transcription situation is not legally comparable. But even if the transcription companies were willing to accept the legal risk, it would be practically impossible for them to sell transcription library services if the conditions of the sale included the provision that continuation of service to any station would depend on that station's remaining on the AFM unfair list.

Palmer Hoyt Succeeds Cowles As OWI Assistant Director

APPOINTMENT of Palmer Hoyt, editor and publisher of the *Portland Oregonian* (KGW-KEX) as assistant director of the OWI in charge of the Domestic Branch succeeding Gardner Cowles Jr., president of the Iowa Broadcasting Co. and of the *Des Moines Register & Tribune* organization, was announced last Friday by OWI Director Elmer Davis.

Returns to Business

Mr. Cowles, who accepted the key OWI post last July for a temporary tenure, leaves June 20 to return to his private business interests. In addition to the IBC stations and the *Register & Tribune*, they include the *Minneapolis Star-Journal* and *Look*. The stations are KSO-KRNT, Des Moines; WMT, Cedar Rapids, and WNAX, Yankton.

Mr. Hoyt, one of the best-known figures in the newspaper field, is a former president of the American Society of Newspaper Editors and of Sigma Delta Chi. He has been granted a six-months leave from the Oregonian to accept the Washington post.

"We are sorry to lose Mr. Cowles," OWI Chief Davis said. "He has already given a year of his time and must return to his publications and other interests. We are fortunate that as his successor we are getting Palmer Hoyt, who has had so much experience and knows so well the sentiments of the people of the far West."

The Domestic Branch encompasses all radio activities of OWI in this country. The Cowles resignation is the second within a week of top officals of the agency. Milton Eisenhower, deputy director, has resigned effective Sept. 1, to become president of Kansas State College, his alma mater (see story on page 41).

PALMER CONDUCTS CLINICS ON SALES

SERIES of radio clinics based on the book "Radio Salesmanship" is being held by the author, B. J. Palmer, owner of WHO, Des Moines, and WOC, Davenport. Sessions are being held free of charge for all who are interested in improving radio copy.

Dates are New York, May 14; Hollywood, May 25, and Chicago, June 7. Hollywood meeting will be in the Terrace room, Roosevelt Hotel, and Chicago meeting in the Roosevelt Hall of the Morrison Hotel. The "school" is in three sessions in each city, at 9 a.m., and 2 and 7 p.m.

Mr. Palmer, as an exponent of "cleaning up" commercial air copy, is spending his own time and money on the trip.

S. D. Gregory Resigning As Manager of WEAF

SHERMAN D. GREGORY will resign as manager of WEAF, New York, May 22. A successor will not be named for the immediate present, according to station officials. Mr. Gregory will announce his future plans shortly.

In 1938 Mr. Gregory joined KDKA, Pittsburgh, at that time an NBC-sponsored station. He was transferred to New York, as manager of the network's managed and operated stations, in 1940, and in April, 1942, was appointed manager of WEAF.

XUM

WE APOLOGIZE

for any misconceptions which may have been created by our ad on page 57 of the April 26th issue of Broadcasting.

We'd like to make this one point clear.

We are *not yet* operating in Cleveland.

However, we're working night and day, constructing our 5000 watt transmitter plant. If vim and vigor count we'll soon complete the job.

We won't give you a definite date for the birth, but we are certainly in an interesting condition. Actually, the experts in attendance assure us that the mid-summer breezes from Lake Erie will waft the programs of the new WJW to the eager ears of two million listeners in the Cleveland area.

WJW

BILL O'NEIL, PRESIDENT

Represented by

HEADLEY-REED COMPANY

Press Blasts Opinion as Blow To Freedom of Speech, Press

Comment Attacks It as Promoting Law-Making By Courts and Regulatory Commissions

TORRENTS of editorial criticism were loosed upon the majority of the Supreme Court for its decision last Monday, upholding the right of the FCC to regulate business aspects of broadcasting in the network monopoly cases. Newspaper columnists and major newspapers lost no time in interpreting the ruling as a blow at freedom of speech and as giving administrative agencies far more power than Congress intended.

Aside from the editorial criticism, a number of figures important in public life expressed their views, mainly off-the-record. In one quarter the opinion was described as "judicial legislation." An influential member of the Senate said he regarded it as a "political declaration," rather than a judicial opinion, designed to conform to the political philosophy of some aspects of the New Deal. Everywhere the plea was made for legislation.

Touchstone Phrase

The *Wall Street Journal* flayed the majority opinion, alluding to its use of the phrase "public interest, convenience or necessity" as "the touchstone provided by Congress." It pointed out editorially that from time immemorial that has been the rock upon which every proposer of every reform has taken his stand.

The inevitable conclusion, it said, is that when Congress creates a regulatory commission and empowers it to act "in the public interest," that commission may make 'virtually any regulation in the field of its jurisdiction which the social, economic and political opinions of a majority of the commissioners may regard as 'in the public interest'."

David Lawrence, eminent columnist, saw in the Supreme Court decision the first step toward abridging the freedom of the press. He said it puts broadcasting "into a Government straitjacket" and "opens the way for strangulation of the newspapers of America."

If the principle applied to the FCC is correct, he continued, it means that it can be applied to newspapers which also must depend on licenses from the Government, such as the second-class mailing privilege.

The *Washington Star* last Tuesday cited the drastic changes which the court's decision will force and observed the FCC "should, and no doubt will, move to lay down explicit guides for the direction of the broadcasting industry, so the regulations may become effective with the least possible dislocation."

Frank C. Waldrop, columnist in the *Washington Times-Herald*, said the real issue is much broader than that formally decided. He described the issue as "whether the Government should have its fingers tight around radio's throat every hour of the night and day."

Alluding to radio as "the most powerful political instrument ever made," Mr. Waldrop said that in every major country except one, government domination of the radio became absolute early in this century, and in such countries one-party government, "sometimes known by the short title of dictatorship' has followed." The sole exception, he said, was the United States and it was not until 1934 that the Government began to tighten its fingers around "the most powerful throat in the land."

Because of the FCC's rigid control, Mr. Waldrop observed that radio operators are "scared to death of Government agents." He added it has been "well said that radio has a loud voice but a weak heart."

He urged that the Communications Act be rewritten in the interest of free speech and that Congress should "speak up first."

Widen Cox Probe

In a second column May 12, Mr. Lawrence predicted one immediate effect of the "reactionary decision," which he said gave the Government "the power of censorship even in peacetime over all radio programs," would be to widen the special investigation by the Cox Committee. He held that the public will be interested in the "arbitrary method by which the FCC has drawn up regulations exercising a power of coercion, amounting to intimidation, over the radio stations and networks.

"All radio stations and networks now become the football of politics —they must stand in with the administration in power—they must give time on the air to political propaganda and generally do those things which in Europe have made radio the subservient tool of dictatorships.

"Justice Frankfurter seems to think that the owner of a station isn't capable of thinking for himself and that if he wants to make a contract with one network for five years because he likes their programs, the manager of the station in question must be prevented from doing so because during those five years presumably there may be changes in the 'economic, political and social life of the nation or of the community'."

Mr. Lawrence said apparently Justice Frankfurter wants to tell stations what they can or cannot do "by means of a Federal agency composed of bureaucrats who will do whatever the administration in power wants them to do." He held that the court's refusal to consider the freedom of speech element and the applicability of the first amendment in the network cases could be used to justify regulation of the press and other communications.

WILLARDS CHOCOLATES Ltd., Toronto (Sweet Marie candy bar) on May 10 started five-weekly transcribed Sonovox announcements on CHNS, Halifax; CHSJ, St. John, N. B.; CFCF, Montreal; CFRB, Toronto; CKCK, Regina, Sask.; FQC, Saskatoon, Sask.; CFCN, Calgary, Alta.; JOR, Vancouver. Account was placed by Cockfield Brown & Co., Toronto.

SOUND OF A PEN gliding across the contract is identified by this quartet as the *Chicago Sun* purchases a half-hour five times a week on a 52-week basis on WBBM, Chicago (l to r) are: Kelly Smith, commercial manager; Ernest Shomo, salesman, WBBM; Frank Ferrin, radio director of the agency, Leo Burnett Co., Chicago, and Edward Richer, promotion manager of the *Sun*. The new late evening half-hour program, titled *Sound-O*, awards $1,000 a week to listeners for identifying various sounds, and is m.c.'d by Don McNeill. Five minutes of the program is devoted to a news broadcast by Clifton Utley. The new program is in addition to a morning quarter-hour Monday-through-Saturday, and a Sunday half-hour, sponsored by the *Sun* on the station.

NEW BABBITT SERIAL IS 'LORA LAWTON'

NEW DAYTIME serial to be started on NBC May 31 by B. T. Babbitt, Inc., New York, in the Monday-through-Friday, 10-10:15 a.m. period [BROADCASTING, May 10], will be *Lora Lawton*, authored by Mrs. Anne Hummert, vice-president of Blackett-Sample-Hummert, New York. Agency for Babbitt, however, is Duane Jones Co., which handles both Bab-O cleansing agent, and Aunt Polly's Soup Mix, a new product. Both products will be advertised on an alternating basis on the new serial and on NBC's *David Harum*, which has been promoting the new soup for the past month.

Lora Lawton, featuring Joan Tompkins as "Lora" and James Meighan as "Peter Carver," will be heard on 37 NBC stations. *David Harum* on CBS ended May 12.

Aunt Polly's Soup Mix is also being promoted through a five-weekly quarter-hour serial on WEVD, New York, titled *My Mother and I*. Series started March 29.

Gardner Extends

FURTHER EXPANDING its spot broadcasting, Gardner Nursery Co., Osage, Ia., added 89 stations to its previously announced list of outlets. Five-minute periods will be used 6 and 12 times weekly. Account is handled by Northwest Radio Adv. Co., Seattle. Following stations haye just been added: WAPI, WGNY, KABR, KGER, WBRC, WMCA, KEUB, KSRO, KARM, WNEW, KBKR, KTMS, KMYR, WHEC, KHAS, KVEC, WSYR, WSAM, KSFO, KFRA, WDRC, WFBL, WCPO, KHJ, WNBC, WHAZ, KSAL, KHSL, WATR, WAYE, WLW, KMJ, WBRY, WBIG, KUIN, WAGA, WPTF, KGKY, WMBD, WCKY, WJBK, KSLM, WSPD, WASK, WIND, WTOL, WADC, WIRE, WKBN, KGB, WISH, KOMA, WEAN, WAVE, WKY, WFTL, WNOE, KQV, WHBL, WCAO, WCAE, WKPA, WHDH, WEEU, WORC, WGBI, WCOL, WMBS, KGCX, WJAR, KGNF, WAPO, WMUR, WDOD, WFAC, WNOX, WOKO, WREC, WCED, WSPR, WHP, WEAU, WIBG, KMED, WTBO, WIP, WHCU, WITH, WALL.

John W. LaRue to WLW

MANAGING editor of the *Cincinnati Enquirer* for the last 10 years, John W. LaRue, has been appointed to the news writing staff of WLW-WSAI, according to announcement of James D. Shouse, vice-president in charge of broadcasting. Mr. LaRue was the Enquirer's chief editorial writer for several years. Mr. Shouse said the news room was fortunate in acquiring a "man of LaRue's news experience and background. It is essential we have trained men for the presentation of the news."

Nesbitt Breaks

NESBITT FRUIT PRODUCTS, Los Angeles (citrus fruit products), in its first use of radio outside West Coast, on June 1 starts a 13-week campaign utilizing thrice-weekly transcribed night station breaks on about 100 stations. Transcriptions feature Mills Brothers quartet. Brochure outlining campaign is being distributed to bottlers. Company also sponsors Fulton Lewis jr. twice-weekly on 15 Don Lee Western stations. M. H. Kelso & Co., Los Angeles, has the account.

XUM

The Telephone in

TWO WARS

IN ROUND FIGURES, how much would you guess the telephone business — in this country — has spent for additions to its physical equipment — materials, buildings, lines, switchboards, things like that — since the last war?

A hundred million dollars? A billion?

Four and one-half billion dollars have gone into telephone plant and equipment in the 25 years since that time.

And what would you say as to the number of toll calls in this war, compared to the last? You can probably guess that it's more this time, but how *much* more might surprise you.

More toll and long distance calls were handled in 1942 alone than in three whole years, at the time of World War One.

Then surely, you say, there are more telephones today to handle such an increase as that — and you're right. There are more than twice as many as there were during the last war, and there are more lines, too, and yet there are not enough. And copper, rubber and other materials are too scarce to build more.

These are just a few items about the telephone and the war. Telephone people are in the front rank of the war job here at home, and they are glad that this is so.

This is a quotation from THE TELEPHONE HOUR, *a regular program heard each Monday night over N.B.C.*

TEXT OF SUPREME COURT NETWORK DECISION

FOLLOWING is the decision of the Supreme Court of the United States (Nos. 554-555, October term, 1942) handed down May 10 by a 5-2 vote (dissenting opinion herewith) on the appeals from the U. S. District Court for the Southern District of New York (No. 554, NBC Inc., Woodmen of the World Life Insurance Society and Stromberg-Carlson Telephone Mfg. Co., appellants, vs. the United States of America, FCC and MBS Inc.; No. 555, CBS Inc., appellant, vs. United States of America, FCC and MBS Inc.):

Mr. JUSTICE FRANKFURTER delivered the opinion of the Court.

In view of our dependence upon regulated private enterprise in discharging the far-reaching role which radio plays in our society, a somewhat detailed exposition of the history of the present controversy and the issues which it raises is appropriate.

These suits were brought on Oct. 30, 1941, to enjoin the enforcement of the Chain Broadcasting Regulations promulgated by the FCC on May 2, 1941, and amended on Oct. 11, 1941. We held last Term in *Columbia System* v. *U. S.*, 316 U. S. 407, and *NBC* v. *U. S.*, 316 U. S. 447, that the suits could be maintained under § 402(a) of the Communications Act of 1934, 48 Stat. 1093, 47 U. S. C. § 402(a) (incorporating by reference the Urgent Deficiencies Act of Oct. 22, 1913, 38 Stat. 219, 28 U. S. C. § 47), and that the decrees of the District Court dismissing the suits for want of jurisdiction should therefore be reversed. On remand the District Court granted the Government's motions for summary judgment and dismissed the suits on the merits. 47 F. Supp. 940. The cases are now here on appeal. 28 U. S. C. § 47. Since they raise substantially the same issues and were argued together, we shall deal with both cases in a single opinion.

Inquiry by FCC Into Chain Broadcasting

On March 18, 1938, the Commission undertook a comprehensive investigation to determine whether special regulations applicable to radio stations engaged in chain broadcasting[1] were required in the "public interest, convenience, or necessity". The Commission's order directed that inquiry be made, *inter alia*, in the following specific matters: the number of stations licensed to or affiliated with networks, and the amount of station time used or controlled by networks; the contractual rights and obligations of stations under their agreements with networks; the scope of network agreements containing exclusive affiliation provisions and restricting the network from affiliating with other stations in the same area; the rights and obligations of stations with respect to network advertisers; the nature of the program service rendered by stations licensed to networks; the policies of networks with respect to character of programs, diversification, and accommodation to the particular requirements of the areas served by the affiliated stations; the extent to which affiliated stations exercise control over programs, advertising contracts, and related matters; the nature and extent of network program duplication by stations serving the same area; the extent to which particular networks have exclusive coverage in some areas; the competitive practices of stations engaged in chain broadcasting; the effect of chain broadcasting upon stations not licensed to or affiliated with networks; practices or agreements in restraint of trade, or in furtherance of monopoly, in connection with chain broadcasting; and the scope of concentration of control over stations, locally, regionally, or nationally, through contracts, common ownership, or other means.

On April 6, 1938, a committee of three Commissioners was designated to hold hearings and make recommendations to the full Commission. This committee held public hearings for 73 days over a period of six months, from Nov. 14, 1938, to May 19, 1939. Order No. 37, announcing the investigation and specifying the particular matters which would be explored at the hearings, was published in the Federal Register, 3 Fed. Reg. 637, and copies where sent to every station licensee and network organization. Notices of the hearings were also sent to these parties. Station licensees, national and regional networks, and transcription and recording companies were invited to appear and give evidence. Other persons who sought to appear were afforded an opportunity to testify. Ninety-six witnesses were heard by the committee, 45 of whom were called by the national networks. The evidence covers 27 volumes, including over 8,000 pages of transcript and more than 700 exhibits. The testimony of the witnesses called by the national networks fills more than 6,000 pages, the equivalent of 46 hearings days.

History of Chain Broadcasting Regulations

The committee submitted a report to the Commission on June 12, 1940, stating its findings and recommendations. Thereafter, briefs on behalf of the networks and other interested parties were filed before the full Commission, and on Nov. 28, 1940, the Commission issued proposed regulations which the parties were requested to consider in the oral arguments held on Dec. 2 and 3, 1940. These proposed regulations dealt with the same matters as those covered by the regulations eventually adopted by the Commission. On Jan. 2, 1941, each of the national networks filed a supplementary brief discussing at length the questions raised by the committee report and the proposed regulations.

On May 2, 1941, the Commission issued its Report on Chain Broadcasting, setting forth its findings and conclusions upon the matters explored in the investigation, together with an order adopting the Regulations here assailed. Two of the seven members of the Commission dissented from this action. The effective date of the Regulations was deferred for 90 days with respect to existing contracts and arrangements of network-operated stations, and subsequently the effective date was thrice again postponed.

Regulations Were Expression Of General Policy in Licensing

On August 14, 1941, the Mutual Broadcasting Company petitioned the Commission to amend two of the Regulations. In considering this petition the Commission invited interested parties to submit their views. Briefs were filed on behalf of all of the national networks, and oral argument was had before the Commission on Sept. 12, 1941. And on Oct. 11, 1941, the Commission (again with two members dissenting) issued a Supplemental Report, together with an order amending three Regulations. Simultaneously, the effective date of the Regulations was postponed until Nov. 15, 1941, and provision was made for further postponements from time to time if necessary to permit the orderly adjustment of existing arrangements. Since Oct. 30, 1941, when the present suits were filed, the enforcement of the Regulations has been stayed either voluntarily by the Commission or by order of court.

Such is the history of the Chain Broadcasting Regulations. We turn now to the Regulations themselves, illumined by the practices in the radio industry disclosed by the Commission's investigation. The Regulations, which the Commission characterized in its Report as "the expression of the general policy we will follow in exercising our licensing power", are addressed in terms to station licensees and applicants for station licenses. They provide, in general, that no licenses shall be granted to stations or applicants having specified relationships with networks.

Each Regulation is directed at a particular practice found by the Commission to be detrimental to the "public interest", and we shall consider them *seriatim*. In doing so, however, we do not overlook the admonition of the Commission that the Regulations as well as the network practices to which they are aimed are interrelated: "In considering above the network practices which necessitate the regulations we are adopting, we have taken each practice singly, and have shown that even in isolation each warrants the regulation addressed to it. But the various practices we have considered do not operate in isolation; they form a compact bundle or pattern, and the effect of their joint impact upon licensees necessitates the regulation even more urgently than the effect of each taken singly." (Report, p. 75.)

The Commission found that at the end of 1938 there were 660 commercial stations in the United States and that 341 of these were affiliated with national networks. One hundred and thirty-five stations were affiliated exclusively with the National Broadcasting Company, Inc., known in the industry as NBC, which operated two national networks, the "Red" and the "Blue". NBC was also the licensee of 10 stations, including seven which operated on so-called clear channels with the maximum power available, 50 kilowatts; in addition, NBC operated five other stations, four of which had power of 50 kilowatts, under management contracts with their licensees. One hundred and two stations were affiliated exclusively with the Columbia Broadcasting System, Inc., which was also the licensee of eight stations, seven of which were clear-channel stations operating with power of 50 kilowatts. Seventy-four stations were under exclusive affiliation with the MBS Inc. In addition, 25 stations were affiliated with both NBC and Mutual, and five with both CBS and Mutual. These figures, the Commission noted, did not accurately reflect the relative prominence of the three companies, since the stations affiliated with Mutual were, generally speaking, less desirable in frequency, power, and coverage. It pointed out that the stations affiliated with the national networks utilized more than 97% of the total nighttime broadcasting power of all the stations in the country. NBC and CBS together controlled more than 85% of the total nighttime wattage and the broadcast business handled by the three national network companies amounted to almost half of the total business of all stations in the United States.

The Commission recognized that network broadcasting had played and was continuing to play an important part in the development of radio. "The growth and development of chain broadcasting", it stated, "found its impetus in the desire to give widespread coverage to programs which otherwise would not be heard beyond the reception area of a single station. Chain broadcasting makes possible a wider reception for expensive entertainment and cultural programs and also for programs of national or regional significance which would otherwise have coverage only in the locality of origin. Furthermore, the access to greatly enlarged audiences made possible by chain broadcasting has been a strong incentive to advertisers to finance the production of expensive programs. . . . But the fact that the chain broadcasting method brings benefits and advantages to both the listening public and to broadcast station licensees does not mean that the prevailing practices and policies of the networks and their outlets are sound in all respects, or that they should not be altered. The Commission's duty under the Communications Act of 1934 is not only to see that the public receives the advantages and benefits of chain broadcasting, but also, so far as its powers enable it, to see that practices which adversely affect the ability of licensees to operate in the

[1] Chain broadcasting is defined in § 3(p) of the Communications Act of 1934 as the "simultaneous broadcasting of an identical program by two or more connected stations". In actual practice, programs are transmitted by wire, usually leased telephone lines, from their point of origination to each station in the network for simultaneous broadcast over the air.

NILES TRAMMELL, PRESIDENT, NBC

"THE MAJORITY decision of the United States Supreme Court holding that the FCC was within its jurisdiction in the promulgation and enforcement of the much-disputed network regulations is of grave concern to American broadcasters. We have had an era in which networks and stations, through collaboration, have been able to build the finest broadcasting service the world has ever known. This has been accomplished through private enterprise, with no interference on the part of the FCC with business relationships voluntarily entered into between networks and stations.

"With the present radio law given this broad interpretation by the Supreme Court, the FCC may endeavor to extend its regulations to cover practically every phase of the business relationship between the networks and the stations. The Commission now assumes a grave responsibility that it exercise the greatest possible wisdom in the issuance of regulations which will enable the broadcasters of the nation to continue to render a satisfactory service to the public. I am convinced that unless such wisdom prevails within the Commission, that the people of the United States will insist upon a revision of the fundamental laws governing broadcasting so that the American system of broadcasting as we have known it will not be impaired.

"I have every confidence that despite the present limitations which are about to be imposed upon the broadcasting industry, that ultimately, either through action of the Commission itself or through Congress, broadcasting will continue as the greatest means of mass communication, as an effective medium for the preservation of the morale of the American public in war time and as its greatest source of entertainment in peace time."

CBC OPENS TO CANADA

A WINDOW ON THE WORLD

Canadians are served today by news that is authentic, unsensational, complete

TODAY, in the exciting time of war, Canadians enjoy through the CBC News Service bulletins that are dependable, authentic and presented in a clear and unambiguous style.

Here truly is a window on the world...a window that gives Canadians everywhere an accurate and impartial view of the world in action. Five CBC News Bureaux in Toronto, Halifax, Montreal, Winnipeg and Vancouver provide both national and regional services of news bulletins, based on the full newspaper wire services of The Canadian Press (which includes the international dispatches of Associated Press) and the British United Press (which includes the foreign service of the United Press). To 95% of the whole Canadian population...four CBC news bulletins are broadcast daily in each Time Zone. In the preparation of news, accuracy and conciseness are the guiding principles. There is no sensationalism, no false emphasis, no glorification of minor successes, no belittling or overstressing of enemy victories—a balanced picture of the day's significant events.

CBC RADIO CANADA

CANADIAN BROADCASTING CORPORATION

public interest are eliminated." (Report, p. 4.)

Eight Network Abuses: (1) Exclusive Affiliation

The Commission found that eight network abuses were amenable to correction within the powers granted it by Congress:

Regulation 3.101—Exclusive affiliation of station. The Commission found that the network affiliation agreements of NBC and CBS customarily contained a provision which prevented the station from broadcasting the programs of any other network. The effect of this provision was to hinder the growth of new networks, to deprive the listening public in many areas of service to which they were entitled, and to prevent station licensees from exercising their statutory duty of determining which programs would best serve the needs of their community.

The Commission observed that in areas where all the stations were under exclusive contract to either NBC or CBS, the public was deprived of the opportunity to hear programs presented by Mutual. To take a case cited in the Report: In the fall of 1939 Mutual obtained the exclusive right to broadcast the World Series baseball games. It offered this program of outstanding national interest to stations throughout the country, including NBC and CBS affiliates in communities having no other stations. CBS and NBC immediately invoked the "exclusive affiliation" clauses of their agreements with these stations, and as a result thousands of persons in many sections of the country were unable to hear the broadcasts of the games.

"Restraints having this effect", the Commission observed, "are to be condemned as contrary to the public interest irrespective of whether it be assumed that Mutual programs are of equal, superior, or inferior quality. The important consideration is that station licensees are denied freedom to choose the programs which they believe best suited to their needs; in this manner the duty of a station licensee to operate in the public interest is defeated. . . . Our conclusion is that the disadvantages resulting from these exclusive arrangements far outweigh any advantages. A licensee station does not operate in the public interest when it enters into exclusive arrangements which prevent it from giving the public the best service of which it is capable, and which, by closing the door of opportunity in the network field, adversely affect the program structure of the entire industry." (Report, pp. 52, 57.)

Accordingly, the Commission adopted Regulation 3.101, providing as follows: "No license shall be granted to a standard broadcast station having any contract, arrangement, or understanding, express or implied, with a network organization under which the station is prevented or hindered from, or penalized for, broadcasting the programs of any other network organization."

(2) Territorial Exclusivity 'Not in the Public Interest'

Regulation 3.102 — Territorial exclusivity. The Commission found another type of "exclusivity" provision in network affiliation agreements whereby the network bound itself not to sell programs to any other station in the same area. The effect of this provision, designed to protect the affiliate from the competition of other stations serving the same territory, was to deprive the listening public of many programs that might otherwise be available. If an affiliated station rejected a network program, the "territorial exclusivity" clause of its affiliation agreement prevented the network from offering the program to other stations in the area.

For example, Mutual presented a popular program, known as "The American Forum of the Air", in which prominent persons discussed topics of general interest. None of the Mutual stations in the Buffalo area decided to carry the program, and a Buffalo station not affiliated with Mutual attempted to obtain the program for its listeners. These efforts failed, however, on account of the "territorial exclusivity" provision in Mutual's agreements with its outlets. The result was that this program was not available to the people of Buffalo.

The Commission concluded that "It is not in the public interest for the listening audience in an area to be deprived of network programs not carried by one station where other stations in that area are ready and willing to broadcast the programs. It is as much against the public interest for a network affiliate to enter into a contractual arrangement which prevents another station from carrying a network program as it would be for it to drown out that program by electrical interference." (Report, p. 59.)

Recognizing that the "territorial exclusivity" clause was unobjectionable in so far as it sought to prevent duplication of programs in the same area, the Commission limited itself to the situations in which the clause impaired the ability of the licensee to broadcast programs otherwise available. Regulation 3.102, promulgated to remedy this particular evil, provides as follows: "No license shall be granted to a standard broadcast station having any contract, arrangement, or understanding, express or implied, with a network organization which prevents or hinders another station serving substantially the same area from broadcasting the network's programs not taken by the former station, or which prevents or hinders another station serving a substantially different area from broadcasting any program of the network organization. This regulation shall not be construed to prohibit any contract, arrangement, or understanding between a station and a network organization pursuant to which the station is granted the first call in its primary service area upon the programs of the network organization."

(3) Term of Affiliation—FCC Said Two Years Long Enough

Regulation 3.103—Term of affiliation. The standard NBC and CBS affiliation contracts bound the station for a period of five years, with the network having the exclusive right to terminate the contracts upon one year's notice. The Commission, relying upon § 307(d) of the Communications Act of 1934, under which no license to operate a broadcast station can be granted for a longer term than three years, found the five-year affiliation term to be contrary to the policy of the Act: "Regardless of any changes that may occur in the economic, political, or social life of the Nation or of the community in which the station is located, CBS and NBC affiliates are bound by contract to continue broadcasting the network programs of only one network for 5 years. The licensee is bound even though the policy and caliber of programs of the network may deteriorate greatly. The future necessities of the station and of the community are not considered. The station licensee is unable to follow his conception of the public interest until the end of the 5-year contract." (Report, p. 61.)

The Commission concluded that under contracts binding the affiliates for five years, "stations become parties to arrangements which deprive the public of the improved service it might otherwise derive from competition in the network field; and that a station is not operating in the public interest when it so limits its freedom of action." (Report, p. 62.)

Accordingly, the Commission adopted Regulation 3.103: "No license shall be granted to a standard broadcast station having any contract, arrangement, or understanding, express or implied, with a network organization which provides, by original term, provisions for renewal, or otherwise for the affiliation of the station with the network organization for a period longer than two years:[1] *Provided*, That a contract, arrangement, or understanding for a period up to two years, may be entered into within 120 days prior to the commencement of such period."

(4) Option Time Clauses— 'Hindered Local Service'

Regulation 3.104—Option time. The Commission found that network affiliation contracts usually contained so-called network optional time clauses. Under these provisions the network could upon 28 days' notice call upon its affiliates to carry a commercial program during any of the hours specified in the agreement as "network optional time". For CBS affiliates "network optional time" meant the entire broadcast day. For 29 outlets of NBC on the Pacific Coast, it also covered the entire broadcast day; for substantially all of the other NBC affiliates, it included 8½ hours on weekdays and 8 hours on Sundays. Mutual's contracts with about half of its affiliates contained such a provision, giving the network optional time for three or four hours on weekdays and six hours on Sundays.

In the Commission's judgment these optional time provisions, in addition to imposing serious obstacles in the path of new networks, hindered stations in developing a local program service. The exercise by the networks of their options over the station's time tended to prevent regular scheduling of local programs at desirable hours. The Commission found that "shifting a local commercial program may seriously interfere with the efforts of a [local] sponsor to build up a regular listening audience at a definite hour, and the long-term advertising contract becomes a highly dubious project. This hampers the efforts of the station to develop local commercial programs and affects adversely its ability to give the public good program service. . . . A station licensee must retain sufficient freedom of action to supply the program and advertising needs of the local community. Local program service is a vital part of community life. A station should be ready, able, and willing to serve the needs of the local community by broadcasting such outstanding local events as community concerts, civic meetings, local sports events, and other programs of local consumer and social interest. We conclude that national network time options have restricted the freedom of station licensees and hampered their efforts to broadcast local commercial programs, the programs of other national networks, and national spot transcriptions. We believe that these considerations far outweigh any supposed advantages from 'stability' of network operations under time options. We find that the optioning of time by licensee stations has operated against the public interest." (Report, pp. 63, 65.)

The Commission undertook to preserve the advantages of option time as a device for "stabilizing" the industry, without unduly impairing the ability of local stations to develop local program service. Regulation 3.104 called for the modification of the option-time provision in three respects: the minimum notice period for exercise of the option could not be less than 56 days; the number of hours which could be optioned was limited; and specific restrictions were placed upon exercise of the option to the disadvantage of other networks. The text of the Regulation follows:

"No license shall be granted to a standard broadcast station which options for network programs any time subject to call on less than 56 days' notice, or more time than a total of three hours within each of four segments of the broadcast day, as hereinafter described. The broadcast day is divided into 4 segments, as follows: 8:00 a.m. to 1:00 p.m.; 1:00 p.m. to 6:00 p.m.; 6:00 p.m. to 11:00 p.m.; 11:00 p.m. to 8:00 a.m. Such option may not be exclusive as against other network organizations and may not prevent or hinder the station from optioning or selling any or all of the time covered by the option, or other time, to other network organizations."

(5) Right to Reject— An Obligation of Licensee

Regulation 3.105—Right to reject programs. The Commission found that most network affiliation contracts contained a clause defining the right of the station to reject network commercial programs. The NBC contract provided simply that the station "may reject a network program the broadcasting of which would not be in the public interest, convenience, and necessity." NBC required a licensee who rejected a program to "be able to support his contention that what he has done has been more in the public interest than had he carried on the network program". Similarly, the CBS contracts provided that if the station had "reasonable objection to any sponsored program or the product advertised thereon as not being in the public interest, the station may, on 3 weeks' prior notice thereof to Columbia, refuse to broadcast such program, unless during such notice period such reasonable objection of the station shall be satisfied."

While seeming in the abstract to be fair, these provisions, according to the Commission's finding, did not sufficiently protect the "public interest". As a practical matter, the licensee could not determine in advance whether the broadcasting of any particular network program would or would not be in the public interest. "It is obvious that from such skeletal information

[1] Station licenses issued by the Commission normally last two years. Section 3.34 of the Commission's Rules and Regulations governing Standard and High-Frequency Broadcast Stations, as amended October 14, 1941.

WILLIAM S. PALEY, PRESIDENT, CBS

CBS ISSUED no public statement on the Supreme Court decision and the FCC-Network Case, but William S. Paley, president, sent the following communication to CBS affiliated stations:

"In view of the decision of the Supreme Court handed down this morning upholding the Commission's power to promulgate network rules, we shall of course make such changes in our contracts with affiliated stations as may be necessary. We feel sure that it is mutually understood that the new rules will make no immediate change in our present network schedule, since the Commission has publicly stated that there is no intention to displace present programs.

"Because the practical effect of the Commission's new rules will depend almost wholly on the way they are administered, we plan to confer with the Commission and determine, if possible, the explicit interpretation which will be placed upon each rule in connection with our present operations and contract relationships with stations.

"In view of the fact that the Supreme Court disclaimed any responsibility on the good or bad effect of the Commission's regulations, we are more than ever convinced that the Commission's area of authority, and the broadcaster's areas of freedom should be re-defined by the Congress in a new radio act."

IT'S THE WORLD'S WACKIEST PROGRAM

(but how it puts over those spots!)

Toss a circus side show, a jitterbug carnival and some Dead-End kids into a radio studio, and there you have a reasonably exact facsimile of WGAR's popular new program, the "Friendly Open House."

Wayne Mack is master of ceremonies and has cooked up a super-duper method of making live and transcribed commercials a part of the entertainment, introducing them with drama, song, double talk or what-have-you.

Sherlock Holmes or Napoleon may introduce your announcement. Or perhaps Mr. Argus who lives in the attic of "Open House" (rap thrice on the water pipe for me, please) may do the honors. The only certainty is that listeners *listen!*

Adding to the fun, frivolity and hilarity are Maestro Walberg Brown and the Clevelandaires, the songs of Reg Merridew, and the piano team of Pildner and Wilson—all of whom (in person, ladies and gentlemen) help set the stage for your advertising message.

First choice in Cleveland for many spot buyers, this new radio show that packs a selling punch already has been expanded (now 4:45 to 5:30 P.M. weekdays). Even so, there'll soon be another waiting list. That's why right now is a dandy time to come on over to the "Friendly Open House."

BASIC STATION . . . COLUMBIA BROADCASTING SYSTEM
G. A. Richards, President . . . John F. Patt, Vice President and General Manager

RADIO IN SERVICE OF HOME AND NATION

Edward Petry & Company, Inc.
National Representative

[as the networks submitted to the stations prior to the broadcasts] the station cannot determine in advance whether the program is in the public interest, nor can it ascertain whether or not parts of the program are in one way or another offensive. In practice, if not in theory, stations affiliated with networks have delegated to the networks a large part of their programming functions. In many instances, moreover, the network further delegates the actual production of programs to advertising agencies. These agencies are far more than mere brokers or intermediaries between the network and the advertiser. To an ever-increasing extent, these agencies actually exercise the function of program production. Thus it is frequently neither the station nor the network, but rather the advertising agency, which determines what broadcast programs shall contain. Under such circumstances, it is especially important that individual stations, if they are to operate in the public interest, should have the practical opportunity as well as the contractual right to reject network programs. . . .

"It is the station, not the network, which is licensed to serve the public interest. The licensee has the duty of determining what programs shall be broadcast over his station's facilities, and cannot lawfully delegate this duty or transfer the control of his station directly to the network or indirectly to an advertising agency. He cannot lawfully bind himself to accept programs in every case where he cannot sustain the burden of proof that he has a better program. The licensee is obliged to reserve to himself the final decision as to what programs will best serve the public interest. We conclude that a licensee is not fulfilling his obligations to operate in the public interest, and is not operating in accordance with the express requirements of the Communications Act, if he agrees to accept programs on any basis other than his own reasonable decision that the programs are satisfactory." (Report, pp. 39, 66.)

MILLER McCLINTOCK, PRESIDENT, MBS

"FINALLY the radio industry is to have a practical application of the broadcasting rules promulgated by the FCC and confirmed by the Supreme Court. We welcome their application without apprehension.

"The Mutual Broadcasting System pledges its full cooperation to the FCC, to the broadcasting stations of the nation and to the nework industry in the fair and businesslike operation of these rules as they now stand or as they may be amended.

"Mutual's position in this matter is predicated upon several fundamental policies:

"1. We recognize that the strength of the American system of broadcasting lies in the cooperative relationship between networks and privately owned and competitive broadcasting stations.

Service Facilities

"2. We believe that if this private operation is to be perpetuated as an integral part of our business structure and as an essential part of our democratic system of free speech, it must be free from governmental controls which go beyond the requirements of orderly and equitable operation and free from economic controls which impair competitive enterprise.

"3. We hold that network operation is not an end in itself but a service facility to the American public through privately owned and freely affiliated broadcasting stations assisting such stations in the fuller performance of their duty of serving public necessity and convenience.

"4. Consistent with the above principles we stand for such contractual relations between the network organizations and their affiliated stations as will result in the broadest possible program service to the public and in the maintenance of competitive enterprise.

"5. Finally, as operators of a national network, we recognize that we are engaged in a private enterprise which is carried on in the public interest and therefore rightly and properly subject to such community controls as may be indicated by our democratic processes.

"The application of the FCC's rules will have no revolutionary effect upon advertising practices upon the operations of Mutual, nor in our opinion upon the operations of the other networks.

"We shall continue to enter into affiliation agreements with such privately owned broadcasting stations as may wish to join the Mutual system.

"We shall continue to contract with such stations for network option time and we shall enforce such agreements in the interest of systematic efficiency.

"We shall insist upon a meticulous compliance with all contracts entered into under such option agreements.

Sees General Benefit

"We shall without exception or qualification continue to offer to regular Mutual affiliates a first acceptance of all sustaining and commercial programs.

"Where a particular market is requested by an advertiser and Mutual does not have an affiliate in the market, the program will be offered to an independent station or to a regular affiliate of another network as the advertiser may indicate with right of refusal or acceptance by the station in accordance with law.

"It is our belief that such offerings will benefit the public, the stations, the advertisers, and the networks.

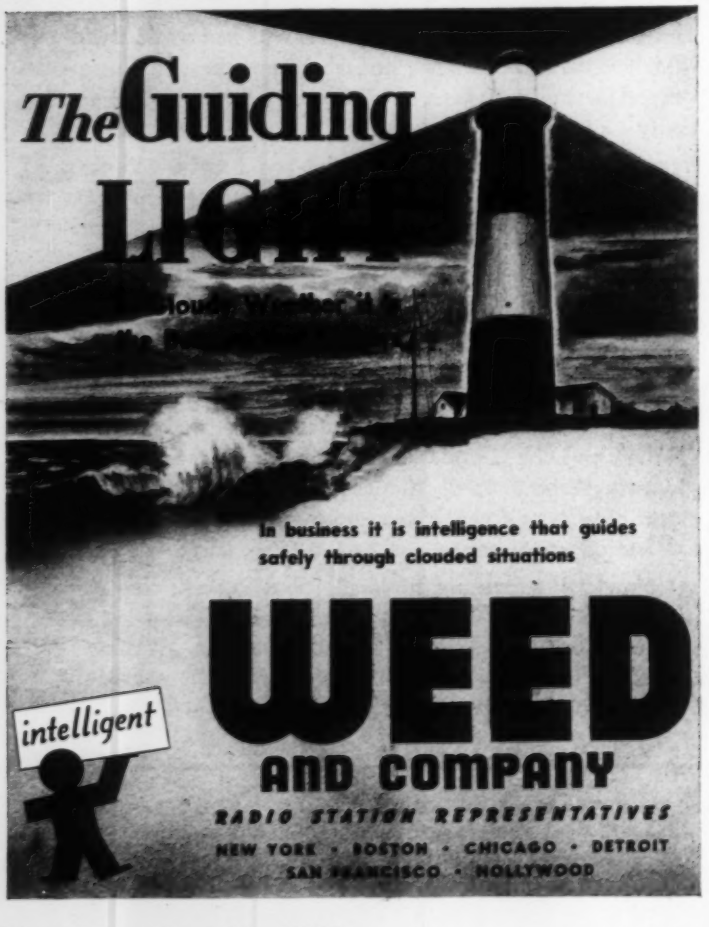
"If in any respect the new rules fail to serve the interest of these four parties, Mutual will be among the first to join with the industry and public officials in seeking a more equitable and effective solution."

The Commission undertook in Regulation 3.105 to formulate the obligations of licensees with respect to supervision over programs: "No license shall be granted to a standard broadcast station having any contract, arrangement, or understanding, express or implied, with a network organization which (a), with respect to programs offered pursuant to an affiliation contract, prevents or hinders the station from rejecting or refusing network programs which the station reasonably believes to be unsatisfactory or unsuitable; or which (b), with respect to network programs so offered or already contracted for, prevents the station from rejecting or refusing any program which, in its opinion, is contrary to the public interest, or from substituting a program of outstanding local or national importance."

(6) Network Ownership—One License to One Owner

Regulation 3.106—Network ownership of stations. The Commission found that NBC, in addition to its network operations, was the licensee of 10 stations, two each in New York, Chicago, Washington, and San Francisco, one in Denver, and one in Cleveland. CBS was the licensee of eight stations, one in each of these cities: New York, Chicago, Washington, Boston, Minneapolis, St. Louis, Charlotte, and Los Angeles. These 18 stations owned by NBC and CBS, the Commission observed, were among the most powerful and desirable in the country, and were permanently inaccessible to competing networks. "Competition among networks for these facilities is nonexistent, as they are completely removed from the network-station market. It gives the network complete control over its policies. This 'bottling-up' of the best facilities has undoubtedly had a discouraging effect upon the creation and growth of new networks. Furthermore, common ownership of network and station places the network in a position where its interest as the owner of certain stations may conflict with its interest as a network organization serving affiliated stations. In dealings with advertisers, the network represents its own stations in a proprietary capacity and the affiliated stations in something akin to an agency capacity. The danger is present that the network organization will give preference to its own stations at the expense of its affiliates." (Report, p. 67.)

The Commission stated that if the question had arisen as an original matter, it might well have concluded that the public interest required severance of the business of station ownership from that of network operation. But since substantial business interests have been formed on the basis of the Commission's continued tolerance of the situation, it was found inadvisable to take such a drastic step. The Commission concluded, however, that "the licensing of two stations in the same area to a single network organization is basically unsound and contrary to the public interest", and that it was also against the "public interest" for network organizations to own stations in areas where the available facilities were so few or of such unequal coverage that competition would thereby be substantially restricted. Recognizing that these considerations called for flexibility in their application to particular situations, the Commission provided that "networks will be given full opportunity on proper application for new facilities or renewal of existing licenses, to call to our attention any reasons why the principle should be modified or held inapplicable." (Report, p. 68.) Regulation 3.106 reads as follows: "No license shall be granted to a network organization, or to any person directly or indirectly controlled by or under common control with a network organization, for more than one standard broadcast station where one of the stations covers substantially the service area of the other station, or for any standard broadcast station in any locality where the existing standard broadcast stations are so few or of such unequal desirability (in terms of coverage, power frequency, or other related matters) that competition would be sub-



cantially restrained by such licensing."

(7) Dual Network Operation

Regulation 3.107—Dual network operation. This regulation provides that: "No license shall be issued to a standard broadcast station affiliated with a network organization which maintains more than one network: *Provided,* That this regulation shall not be applicable if such networks are not operated simultaneously, or if there is no substantial overlap in the territory served by the group of stations comprising each such network." In its Supplemental Report of Oct. 11, 1941, the Commission announced the indefinite suspension of this regulation. There is no occasion here to consider the validity of Regulation 3.107, since there is no immediate threat of its enforcement by the Commission.

(8) Control of Station Rates

Regulation 3.108—Control by networks of station rates. The Commission found that NBC's affiliation contracts contained a provision empowering the network to reduce the station's network rate, and thereby to reduce the compensation received by the station, if the station set a lower rate for non-network national advertising than the rate established by the contract for the network programs. Under this provision the station could not sell time to a national advertiser for less than it would cost the advertiser if he bought the time from NBC. In the words of NBC's vice-president, "This means simply that a national advertiser should pay the same price for the station whether he buys it through one source or another source. It means that we do not believe that our stations should go into competition with ourselves." (Report, p. 73.)

The Commission concluded that "it is against the public interest for a station licensee to enter into a contract with a network which has the effect of decreasing its ability to compete for national business. We believe that the public interest will best be served and listeners supplied with the best programs if stations bargain freely with national advertisers." (Report, p. 75.) Accordingly, the Commission adopted Regulation 3.108, which provides as follows: "No license shall be granted to a standard broadcast station having any contract, arrangement, or understanding, express or implied, with a network organization under which the station is prevented or hindered from, or penalized for, fixing or altering its rates for the sale of broadcast time for other than the network's programs."

Did Congress Authorize FCC Power in Regulations?

The appellants attack the validity of these Regulations along many fronts. They contend that the Commission went beyond the regulatory powers conferred upon it by the Communications Act of 1934; that even if the Commission were authorized by the Act to deal with the matters comprehended by the Regulations, its action is nevertheless invalid because the Commission misconceived the scope of the Act, particularly § 313 which deals with the application of the anti-trust laws to the radio industry; that the Regulations are arbitrary and capricious; that if the Communications Act of 1934 were construed to authorize the promulgation of the Regulations, it would be an unconstitutional delegation of legislative power; and that, in any event, the Regulations abridge the appellants' right of free speech in violation of the First Amendment. We are thus called upon to determine whether Congress has authorized the Commission to exercise the power asserted by the Chain Broadcasting Regulations, and if it has, whether the Constitution forbids the exercise of such authority.

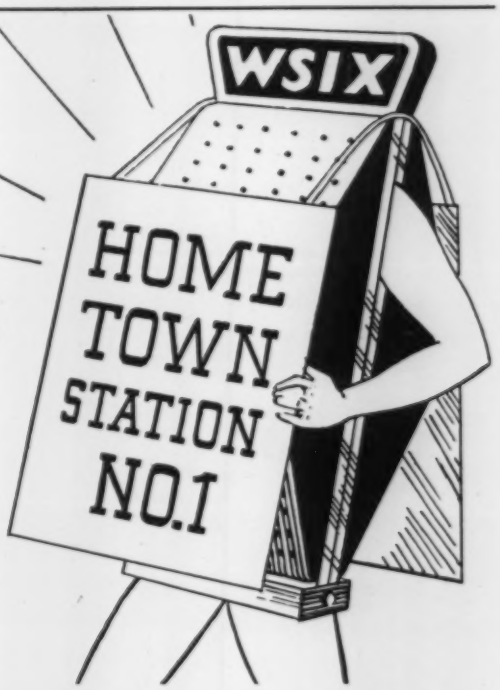
Federal regulation of radio[3] begins with the Wireless Ship Act of June 24, 1910, 36 Stat. 629, which forbade any steamer carrying or licensed to carry 50 or more persons to leave any American port unless equipped with efficient apparatus for radio communication, in charge of a skilled operator. The enforcement of this legislation was entrusted to the Secretary of Commerce and Labor, who was in charge of the administration of the marine navigation laws. But it was not until 1912, when the United States ratified the first international radio treaty, 37 Stat. 1565, that the need for general regulation of radio communication became urgent. In order to fulfill our obligations under the treaty, Congress enacted the Radio Act of Aug. 13, 1912, 37 Stat. 302. This statute forbade the operation of radio apparatus without a license from the Secretary of Commerce and Labor; it also allocated certain frequencies for the use of the Government, and imposed restrictions upon the character of wave emissions, the transmission of distress signals, and the like.

[3] The history of federal regulation of radio communication is summarized in Herring and Gross, Telecommunications (1936) 239-86; Administrative Procedure in Government Agencies, Monograph of the Attorney General's Committee on Administrative Procedure, Sen. Doc. No. 186, 76th Cong., 3d Sess., Part 3, dealing with the Federal Communications Commission, pp. 82-84; 1 Socolow, Law of Radio Broadcasting (1939) 38-61; Donovan, Origin and Development of Radio Law (1930).

History of Broadcasting Regulations Summarized

The enforcement of the Radio Act of 1912 presented no serious problems prior to the World War. Questions of interference arose only rarely because there were more than enough frequencies for all the stations then in existence. The war accelerated the development of the art, however, and in 1921 the first standard broadcast stations were established. They grew rapidly in number, and by 1923 there were several hundred such stations throughout the country. The Act of 1912 had not set aside any particular frequencies for the use of private broadcast stations; consequently, the Secretary of Commerce selected two frequencies, 750 and 833 kilocycles, and licensed all stations to operate upon one or the other of these channels. The number of stations increased so rapidly, however, and the situation became so chaotic, that the Secretary, upon the recommendation of the National Radio Conferences which met in Washington in 1923 and 1924, established a policy of assigning specified frequencies to particular stations. The entire radio spectrum was divided into numerous bands, each allocated to a particular kind of service. The frequencies ranging from 550 to 1500 kilocycles (96 channels in all, since the channels were separated from each other by 10 kilocycles) were assigned to the standard broadcast stations.

But the problems created by the enormously rapid development of radio were far from solved. The increase in the number of channels was not enough to take care of the constantly growing number of stations. Since there were more stations than available frequencies, the Secretary of Commerce attempted to find room for everybody by limiting the power and hours of operation of stations in order that several stations might use the same channel. The number of stations multiplied so rapidly, however, that by Nov., 1925, there were almost 600 stations in the country, and there were 175 applications for new stations. Every channel in the standard broadcast band was, by that time, already occupied by at least one station.



Intensive Coverage of a Prime Market

REACHING more people than ever before—and with a clearer signal—WSIX gives intensive coverage of a market bursting with sales potentials.

Within this station's 0.1 MV/M contour are over 1,250,000 **residents,** PLUS an enormous number of troops who also listen! To reach this cross-section of America, get on WSIX now at the peak of its coverage.

Spot Sales, Inc., National Representatives

Member Station, the Blue Network and Mutual Broadcasting System

5000 WATTS

WSIX

"The Voice of Nashville"

NASHVILLE, TENN.

980 KILOCYCLES

and many by several. The new stations could be accommodated only by extending the standard broadcast band, at the expense of the other types of service, or by imposing still greater limitations upon time and power. The National Radio Conference which met in November, 1925, opposed both of these methods and called upon Congress to remedy the situation through legislation.

The Secretary of Commerce was powerless to deal with the situation. It had been held that he could not deny a license to an otherwise legally qualified applicant on the ground that the proposed station would interfere with existing private or Government stations. *Hoover* v. *Intercity Radio Co.*, 286 Fed. 1003. And on April 16, 1926, an Illinois district court held that the Secretary had no power to impose restrictions as to frequency, power, and hours of operation, and that a station's use of a frequency not assigned to it was not a violation of the Radio Act of 1912. *United States* v. *Zenith Radio Corp.*, 12 F. 2d 614. This was followed on July 8, 1926, by an opinion of Acting Attorney General Donovan that the Secretary of Commerce had no power, under the Radio Act of 1912, to regulate the power, frequency or hours of operation of stations. 35 Ops. Atty. Gen. 126. The next day the Secretary of Commerce issued a statement abandoning all his efforts to regulate radio and urging that the stations undertake self-regulation.

President (Coolidge) Asked Radio Law to End Chaos

But the plea of the Secretary went unheeded. From July, 1926 to Feb. 23, 1927, when Congress enacted the Radio Act of 1927, 44 Stat. 1162, almost 200 new stations went on the air. These new stations used any frequencies they desired, regardless of the interference thereby caused to others. Existing stations changed to other frequencies and increased their power and hours of operation at will. The result was confusion and chaos. With everybody on the air, nobody could be heard. The situation became so intolerable that the President in his message of Dec. 7, 1926, appealed to Congress to enact a comprehensive radio law:

> "Due to the decisions of the courts, the authority of the department [of Commerce] under the law of 1912 has broken down; many more stations have been operating than can be accommodated within the limited number of wave lengths available; further stations are in course of construction; many stations have departed from the scheme of allocations set down by the department, and the whole service of this most important public function has drifted into such chaos as seems likely, if not remedied, to destroy its great value. I most urgently recommend that this legislation should be speedily enacted." (H. Doc. 483, 69th Cong., 2d Sess., p. 10.)

The plight into which radio fell prior to 1927 was attributable to certain basic facts about radio as a means of communication—its facilities are limited; they are not available to all who may wish to use them; the radio spectrum simply is not large enough to accommodate everybody. There is a fixed natural limitation upon the number of stations that can operate without interfering with one another.[4] Regulation of radio was therefore as vital to its development as traffic control was to the development of the automobile. In enacting the Radio Act of 1927, the first comprehensive scheme of control over radio communication, Congress acted upon the knowledge that if the potentialities of radio were not to be wasted, regulation was essential.

Radio Act of 1927 Conferred Wide Powers

The Radio Act of 1927 created the Federal Radio Commission, composed of five members, and endowed the Commission with wide licensing and regulatory powers. We do not pause here to enumerate the scope of the Radio Act of 1927 and of the authority entrusted to the Radio Commission, for the basic provisions of that Act are incorporated in the Communications Act of 1934, 48 Stat. 1064, 47 U. S. C. § 151 *et seq.*, the legislation immediately before us. As we noted in *FCC* v. *Pottsville Broadcasting Co.*, 309 U. S. 134, 137, "In its essentials the Communications Act of 1934 [so far as its provisions relating to radio are concerned] derives from the Federal Radio Act of 1927. . . . By this Act Congress, in order to protect the national interest involved in the new and far-reaching science of broadcasting, formulated a unified and comprehensive regulatory system for the industry. The common factors in the administration of the various statutes by which Congress had supervised the different modes of communication led to the creation, in the Act of 1934, of the Communications Commission. But the objectives of the legislation have remained substantially unaltered since 1927."

Section 1 of the Communications Act states its "purpose of regulating interstate and foreign commerce in communication by wire and radio so as to make available, so far as possible, to all the people of the United States a rapid, efficient, Nation-wide, and world-wide wire and radio communications service with adequate facilities at reasonable charges". Section 301 particularizes this general purpose with respect to radio: "It is the purpose of this Act, among other things, to maintain the control of the United States over all the channels of interstate and foreign radio transmission; and to provide for the use of such channels, but not the ownership thereof, by persons for limited periods of time, under licenses granted by Federal authority, and no such license shall be construed to create any right, beyond the terms, conditions, and periods of the license." To that end a Commission composed of seven members was created, with broad licensing and regulatory powers.

[4] See Morecroft, Principles of Radio Communication (3d ed. 1933) 355-402; Terman, Radio Engineering (2d ed. 1937) 593-645.

FCC Powers as Defined In Radio Act of 1934

Section 303 provides:

> "Except as otherwise provided in this Act, the Commission from time to time, as public convenience, interest, or necessity requires, shall—
>
> (a) Classify radio stations;
>
> (b) Prescribe the nature of the service to be rendered by each class of licensed stations and each station within any class;
>
> * * * * *
>
> (f) Make such regulations not inconsistent with law as it may deem necessary to prevent interference between stations and to carry out the provisions of this Act . . . ;
>
> (g) Study new uses for radio, provide for experimental uses of frequencies, and generally encourage the larger and more effective use of radio in the public interest;
>
> * * * * *
>
> (i) Have authority to make special regulations applicable to radio stations engaged in chain broadcasting;
>
> * * * * *
>
> (r) Make such rules and regulations and prescribe such restrictions and conditions, not inconsistent with law, as may be necessary to carry out the provisions of this Act. . . ."

The criterion governing the exercise of the Commission's licensing power is the "public interest, convenience, or necessity". §§ 307(a) (d), 309(a), 310, 312. In addition, §307(b) directs the Commission that "In considering applications for licenses, and modifications and renewals thereof, when and insofar as there is demand for the same the Commission shall make such distribution of licenses, frequencies, hours of operation, and of power among the several States and communities as to provide a fair, efficient, and equitable distribution of radio service to each of the same."

The Act itself establishes that the Commission's powers are not limited to the engineering and technical aspects of regulation of radio communication. Yet we are asked to regard the Commission as a kind of traffic officer, policing the wave lengths to prevent stations from interfering with each other. But the Act does not restrict the Commission merely to supervision of the traffic. It puts upon the Commission the burden of determining the composition of that traffic. The facilities of radio are not large enough to accommodate all who wish to use them. Methods must be devised for choosing from among the many who apply. And since Congress itself could not do this, it committed the task to the Commission.

The Commission was, however, not left at large in performing this duty. The touchstone provided by Congress was the "public interest, convenience, or necessity", a criterion which "is as concrete as the complicated factors for judgment in such a field of delegated authority permit". *FCC* v. *Pottsville Broadcasting Co.*, 309 U. S. 134, 138. "This criterion is not to be interpreted as setting up a standard as indefinite as to confer an unlimited power. Compare *N. Y. Central Securities Co.* v. *U. S.*, 287 U. S. 12, 24. The requirement is to be interpreted by its context, by the nature of radio transmission and reception, by the scope, character, and quality of services. . . ." *Radio Comm'n.* v. *Nelson Bros. Co.*, 289 U. S. 266, 285.

The "public interest" to be served under the Communications Act is thus the interest of the listening public in "the larger and more effective use of radio". § 303(g). The facilities of radio are limited and therefore precious; they cannot be left to wasteful use without detriment to the public interest. "An important element of public interest and convenience affecting the issue of a license is the ability of the licensee to render the best practicable service to the community reached by his broadcasts." *FCC* v. *Sanders Radio Station*, 309 U. S. 470, 475. The Commission's licensing function cannot be discharged, therefore, merely by finding that there are no technological objections to the granting of a license. If the criterion of "public interest" were limited to such matters, how could the Commission choose between two applicants for the same facilities, each of whom is financially and technically qualified to operate a station? Since the very inception of federal regulation by radio, comparative considerations as to the services to be rendered have governed the application of the standard of "public interest, convenience, or necessity". See *FCC* v. *Pottsville Broadcasting Co.*, 309 U. S. 134, 138 n. 2.

The avowed aim of the Communications Act of 1934 was to secure the maximum benefits of radio to all the people of the United States. To that end Congress endowed the Communications Commission with comprehensive powers to promote and realize the vast potentialities of radio. Section 303(g) provides that the Commission shall "generally encourage the larger and more effective use of radio in the public interest"; subsection (i) gives the Commission specific "authority to make special regulations applicable to radio stations engaged in chain broadcasting"; and subsection (r) empowers it to adopt "such rules and regulations and prescribe such restrictions and conditions, not inconsistent with law, as may be necessary to carry out the provisions of this Act".

Court Finds No Limitation To Technical Functions

These provisions, individually and in the aggregate, preclude the notion that the Commission is empowered to deal only with technical and engineering impediments to the "larger and more effective use of radio in the public interest". We cannot find in the Act any such restriction of the Commission's authority. Suppose, for example, that a community can, because of physical limitations, be assigned only two stations. That community might be deprived of effective service

'SO SOLLY'

Jap Spokesman Slips—Once; —Tojo Uses Hook—

PSYCHOLOGICAL warfare waged on the shortwave beams between the United States and Japan apparently claimed its first human casualty recently with the disappearance of John Holland, renegade Australian newsman heard regularly on Radio Tokyo.

Mr. Holland, engrossed in telling the American public that Russians are ingrates, artlessly commented, "When the question of who won the war arises, the Russian people will give the United States no credit." Not so artless, however, was William Winter, news analyst for CBS and the OWI Overseas Branch, as well as other OWI West Coast commentators.

Americans pounded at Holland's unwitting admission of inevitable allied victory. Tojo broadcast transcriptions of the renegade's earlier talks, but Mr. Holland hasn't been heard live since March 20.

BEATING AROUND THE BUSH (Ky.) LEAGUES?

Come out of the shrubbery, gents—there's darn little business in Bush (Ky.), or in any of the other little towns in this State. For big business, beat around in the Louisville Trading Area—a veritable forest of buying power (35.5% *more* than the rest of Kentucky *combined!*). . . . To reach all 242,077 radio homes in this area, you need only WAVE—the lowest-cost-complete-coverage station in this neck of the woods! Write for availabilities—*now!*

LOUISVILLE'S WAVE

5000 WATTS . . . 970 K.C. . . . N.B.C.

FREE & PETERS, INC.
National Representatives

in any one of several ways. More powerful stations in nearby cities might blanket out the signals of the local stations so that they could not be heard at all. The stations might interfere with each other so that neither could be clearly heard.

One station might dominate the other with the power of its signal. But the community could be deprived of good radio service in ways less crude. One man, financially and technically qualified, might apply for and obtain the licenses of both stations and present a single service over the two stations, thus wasting a frequency otherwise available to the area. The language of the Act does not withdraw such a situation from the licensing and regulatory powers of the Commission, and there is no evidence that Congress did not mean its broad language to carry the authority it expresses.

In essence, the Chain Broadcasting Regulations represent a particularization of the Commission's conception of the "public interest" sought to be safeguarded by Congress in enacting the Communications Act of 1934. The basic consideration of policy underlying the Regulations is succinctly stated in its Report: "With the number of radio channels limited by natural factors, the public interest demands that those who are entrusted with the available channels shall make the fullest and most effective use of them. If a licensee enters into a contract with a network organization which limits his ability to make the best use of the radio facility assigned him, he is not serving the public interest . . . The net effort [of the practices disclosed by the investigation] has been that broadcasting service has been maintained at a level below that possible under a system of free competition. Having so found, we would be remiss in our statutory duty of encouraging 'the larger and more effective use of radio in the public interest' if we were to grant licenses to persons who persist in these practices." (Report, pp. 81, 82.)

'Act Gave Commission Expansive Powers'

We would be asserting our personal views regarding the effective utilization of radio were we to deny that the Commission was entitled to find that the large public aims of the Communications Act of 1934 comprehend the considerations which moved the Commission in promulgating the Chain Broadcasting Regulations. True enough, the Act does not explicitly say that the Commission shall have power to deal with network practices found inimical to the public interest. But Congress was acting in a field of regulation which was both new and dynamic. "Congress moved under the spur of a widespread fear that in the absence of governmental control the public interest might be subordinated to monopolistic domination in the broadcasting field." *FCC* v. *Pottsville Broadcasting Co.*, 309 U. S. 134, 137. In the context of the developing problems to which it was directed, the Act gave the Commission not niggardly but expansive powers. It was given a comprehensive mandate to "encourage the larger and more effective use of radio in the public interest", if need be, by making "special regulations applicable to radio stations engaged in chain broadcasting". §303 (g) (i).

Generalities unrelated to the living problems of radio communication of course cannot justify exercises of power by the Commission. Equally so, generalities empty of all concrete considerations of the actual bearing of regulations promulgated by the Commission to the subject-matter entrusted to it, cannot strike down exercises of power by the Commission. While Congress did not give the Commission unfettered discretion to regulate all phases of the radio industry, it did not frustrate the purposes for which the Communications Act of 1934 was brought into being by attempting an itemized catalogue of the specific manifestations of the general problems for the solution of which it was establishing a regulatory agency. That would have stereotyped the powers of the Commission to specific details in regulating a field of enterprise the dominant characteristic of which was the rapid pace of its unfolding. And so Congress did what experience had taught it in similar attempts at regulation, even in fields where the subject-matter of regulation was far less fluid and dynamic than radio. The essence of that experience was to define broad areas for regulation and to establish standards for judgment adequately related in their application to the problems to be solved.

No Support Found for 'Cramping Construction'

For the cramping construction of the Act pressed upon us, support cannot be found in its legislative history. The principal argument is that § 303 (i), empowering the Commission "to make special regulations applicable to radio stations engaged in chain broadcasting", intended to restrict the scope of the Commission's powers to the technical and engineering aspects of chain broadcasting. This provision comes from § 4 (h) of the Radio Act of 1927. It was introduced into the legislation as a Senate committee amendment to the House bill (H. R. 9971, 69th Cong., 1st Sess.) This amendment originally read as follows:

"(C) The commission, from time to time, as public convenience, interest, or necessity requires, shall—

(j) When stations are connected by wire for chain broadcasting, determine the power each station shall use and the wave lengths to be used during the time stations are so connected and so operated, and make all other regulations necessaary in the interest of equitable radio service to the listeners in the communities or areas affected by chain broadcasting."

The report of the Senate Committee on Interstate Commerce, which submitted this amendment, stated that under the bill the Commission was given "complete authority . . . to control chain broadcasting." Sen. Rep. No. 772, 69th Cong., 1st Sess., p. 3. The bill as thus amended was passed by the Senate, and then sent to conference. The bill that emerged from the conference committee, and which became the Radio Act of 1927, phrased the amendment in the general terms now contained in § 303(i) of the 1934 Act: the Commission was authorized "to make special regulations applicable to radio stations engaged in chain broadcasting". The conference reports do not give any explanation of this particular change in phrasing, but they do state that the jurisdiction conferred upon the Commission by the conference bill was substantially identical with that conferred by the bill passed by the Senate. See Sen. Doc.

Post-War Plans Group Named by GOP Leader

A 33-MAN committee of Republicans to study post-war problems, including government finance, control of industry, and reconversion of war plants, has been appointed by Rep. Joseph W. Martin Jr., GOP House leader.

Included are eight Republican members of the House who have exhibited particular interest in radio and advertising. They are Rep. Wolverton, N. J., chairman; Holmes, Mass.; Wadsworth, Pa.; Halleck, Ind.; Harness, Ind.; Dirksen, Ill.; Hinshaw, Cal.; Ditter, Pa.

In Radio, too ~~~~~

CULTIVATION *means* **PRODUCTION**

One bumper sales crop after another is WIBW's enviable record for its advertisers. Our peak soil conductivity and 580 kc frequency gives us the "most-easily-heard" signal in a six-state area. But that's just our cultivating *machinery*. It's the way we *use* it that PRODUCES.

We use it to cultivate the permanent friendship and goodwill of farm and small town listeners. We use it to bring them friendly, neighborly personalities . . . entertainment and service features that fit their every-day needs and interests.

Let us show you how *you too* can reap a rich harvest from WIBW's "know how" cultivation of this market that is wealthier than it has been in a lifetime.

WIBW IN TOPEKA "The Voice of Kansas"
COLUMBIA OUTLET FOR KANSAS
BEN LUDY, Gen. Mgr.
REPRESENTED BY CAPPER PUBLICATIONS, INC.
NEW YORK DETROIT CHICAGO KANSAS CITY SAN FRANCISCO

No. 200, 69th Cong., 2d Sess., p. 17; H. Rep. 1886, 69th Cong., 2d Sess., p. 17. We agree with the District Court that in view of this legislative history, § 303(i) cannot be construed as no broader than the first clause of the Senate amendment, which limited the Commission's authority to the technical and engineering phases of chain broadcasting. There is no basis for assuming that the conference intended to preserve the first clause, which was of limited scope, and abandon the second clause, which was of general scope, by agreeing upon a provision which was broader and more comprehensive than those it supplanted.[5]

Conviction No Prerequisite To Action Under § 311

A totally different source of attack upon the Regulations is found in § 311 of the Act, which authorizes the Commission to withhold licenses from persons convicted of having violated the anti-trust laws. Two contentions are made—first, that this provision puts considerations relating to competition outside the Commission's concern before an applicant has been convicted of monopoly or other restraints of trade, and second, that in any event, the Commission misconceived the scope of its powers under § 311 in issuing the Regulations.

Both of these contentions are unfounded. Section 311 derives from § 13 of the Radio Act of 1927, which expressly commanded, rather than merely authorized, the Commission to refuse a license to any person judicially found guilty of having violated the anti-trust laws. The change in the 1934 Act was made, in the words of Senator Dill, the manager of the legislation in the Senate, because "it seemed fair to the committee to do that". 78 Cong. Rec. 8825. The Commission was thus permitted to exercise its judgment as to whether violation of the anti-trust laws disqualified an applicant from operating a station in the "public interest". We agree with the District Court that "The necessary implication from this [amendment in 1934] was that the Commission might infer from the fact that the applicant had in the past tried to monopolize radio, or had engaged in unfair methods of competition, that the disposition so manifested would continue and that if it did it would make him an unfit licensee." 47 F. Supp. 940, 944.

That the Commission may refuse to grant a license to persons adjudged guilty in a court of law of conduct in violation of the anti-trust laws certainly does not render irrelevant consideration by the Commission of the effect of such conduct upon the "public interest, convenience, or necessity". A licensee charged with practices in contravention of this standard cannot continue to hold his license merely because his conduct is also in violation of the anti-trust laws and he has not yet been proceeded against and convicted. By clarifying in § 311 the scope of the Commission's authority in dealing with persons convicted of violating the anti-trust laws, Congress can hardly be deemed to have limited the concept of "public interest" so as to exclude all considerations relating to monopoly and unreasonable restraints upon commerce. Nothing in the provisions or history of the Act lends support to the inference that the Commission was denied the power to refuse a license to a station not operating in the "public interest", merely because its misconduct happened to be an unconvicted violation of the anti-trust laws.

[5] In the course of the Senate debates on the conference report upon the bill that became the Radio Act of 1927, Senator Dill, who was in charge of the bill, said: "While the commission would have the power under the general terms of the bill, the bill specifically sets out as one of the special powers of the commission the right to make specific regulations for governing chain broadcasting. As to creating a monopoly of radio in this country, let me say that this bill absolutely protects the public, so far as it can protect them, by giving the commission full power to refuse a license to anyone who it believes will not serve the public interest, convenience, or necessity. It specifically provides that any corporation guilty of monopoly shall not only not receive a license but that its license may be revoked; and if after a corporation has received its license for a period of three years it is then discovered and found to be guilty of monopoly, its license will be revoked. . . . In addition to that, the bill contains a provision that no license may be transferred from one owner to another without the written consent of the commission, and the commission, of course, having the power to protect against a monopoly, must give such protection. I wish to state further that the only way by which monopolies in the radio business can secure control of radio here, even for a limited period of time, will be by the commission becoming servile to them. Power must be lodged somewhere, and I myself am unwilling to assume in advance that the commission proposed to be created will be servile to the desires and demands of great corporations of this country." 68 Cong. Rec. 2881.

ONE BIG HAPPY FAMILY—by courtesy of NBC. This trio of femmes from the NBC New York office went visiting and stopped to chat with two officials of the West Coast office. They are (l to r) Alex Robb, western division manager of package sales; Helen Shervey, business manager of the New York office program department; Evelyn Hale, secretary to Frank Mullen, vice-president and general manager; Helen Kellie, secretary to Niles Trammell, president, and Sidney N. Strotz, western division vice-president. Yes, the ladies saw Hollywood.

Court Concludes 1934 Act Authorized the Regulations

Alternatively, it is urged that the Regulations constitute an *ultra vires* attempt by the Commission to enforce the anti-trust laws, and that the enforcement of the anti-trust laws is the province not of the Commission but of the Attorney General and the courts. This contention misconceives the basis of the Commission's action. The Commission's Report indicates plainly enough that the Commission was not attempting to administer the anti-trust laws:

"The prohibitions of the Sherman Act apply to broadcasting. This Commission, although not charged with the duty of enforcing that law, should administer its regulatory powers with respect to broadcasting in the light of the purposes which the Sherman Act was designed to achieve. . . . While many of the network practices raise serious questions under the antitrust laws, our jurisdiction does not depend on a showing that they do in fact constitute a violation of the antitrust laws. It is not our function to apply the antitrust laws as such. It is our duty, however, to refuse licenses or renewals to any person who engages or proposes to engage in practices which will prevent either himself or other licensees or both from making the fullest use of radio facilities. This is the standard of public interest, convenience or necessity which we must apply to all applications for licenses and renewals. . . . We do not predicate our jurisdiction to issue the regulations on the ground that the network practices violate the antitrust laws. We are issuing these regulations because we have found that the network practices prevent the maximum utilization of radio facilities in the public interest." (Report, pp. 46, 83, 83n. 3.)

We conclude, therefore, that the Communications Act of 1934 authorized the Commission to promulgate regulations designed to correct the abuses disclosed by its investigation of chain broadcasting. There remains for consideration the claim that the Commission's exercise of such authority was unlawful.

The Regulations are assailed as "arbitrary and capricious". If this contention means that the Regulations are unwise, that they are not likely to succeed in accomplishing what the Commission intended, we can say only that the appellants have selected the wrong forum for such a plea. What was said in *Board of Trade* v. *United States*, 314 U. S. 534, 548, is relevant here: "We certainly have neither technical competence nor legal authority to pronounce upon the wisdom of the course taken by the Commission."

Our duty is at an end when we find that the action of the Commission was based upon findings supported by evidence, and was made pursuant to authority granted by Congress. It is not for us to say that the "public interest" will be furthered or retarded by the Chain Broadcasting Regulations. The responsibility belongs to the Congress for the grant of valid legislative authority, and to the Commission for its exercise.

It would be sheer dogmatism to say that the Commission made out no case for its allowable discretion in formulating these Regulations. Its long investigation disclosed the existences of practices which it regarded as contrary to the "public interest". The commission knew that the wisdom of any action it took would have to be tested by experience:

"We are under no illusion that the regulations we are adopting will solve all questions of public interest with respect to the network system of program distribution . . . The problems in the network field are interdependent, and the steps now taken may perhaps operate as a partial solution of problems not directly dealt with at this time. Such problems may be examined again at some future time after the regulations here adopted have been given a fair trial." (Report, p. 88.)

Commission Not Bound Inflexibly by Rules

The problems with which the Commission attempted to deal could not be solved at once and for all time by rigid rules-of-thumb. The Commission therefore did not bind itself inflexibly to the licensing policies expressed in the Regulations. In each case that comes before it the Commission must still exercise an ultimate judgment whether the grant of a license would serve the "public interest, convenience, or necessity." If time and changing circumstances reveal that the "public interest" is not served by application of the Regulations, it must be assumed that the Commission will act in accordance with its statutory obligation.

Since there is no basis for any claim that the Commission did not fail to observe procedural safeguards required by law, we reach the contention that the Regulations should be denied enforcement on constitutional grounds. Here, as in *N. Y. Central Securities Co.* v. *U. S.*, 287 U. S. 12, 24-25, the claim is made that the standard of "public interest" governing the exercise of the powers delegated to the Commission by Congress is so vague and indefinite that, if it be construed as comprehensively as the words alone permit, the delegation of legislative authority is unconstitutional. But, as we held in that case, "It is a mistaken assumption that this is a mere general reference to public welfare without any standard to guide determinations. The purpose of the Act, the requirements it imposes, and the context of the provision in question show the contrary." *Ibid.* See *Radio Comm'n* v. *Nelson Bros. Co.*, 289 U. S. 266, 285; *FCC* v. *Pottsville Broadcasting Co.*, 309 U. S. 134, 137-38. Compare *Panama Refining Co.* v. *Ryan*, 293 U. S. 388, 428; *Intermountain Rate Cases*, 234 U. S. 476, 486-89; *United States* v. *Lowden*, 308 U. S. 225.

'Radio Inherently Not Available to All'

We come, finally, to an appeal to the First Amendment. The Regulations, even if valid in all other respects, must fall because they abridge, say the appellants, their right of free speech. If that be so, it would follow that every person whose application for a license to operate a station is denied by the Commission is thereby denied his constitutional right of free speech. Freedom of utterance is abridged to many who wish to use the limited facilities of radio. Unlike other modes of expression, radio inherently is not available to all.

That is its unique characteristic, and that is why, unlike other modes of expression, it is subject to governmental regulation. Because it cannot be used by all, some who wish to may it must be denied. But Congress did not authorize the Commission to choose among applicants upon the basis of their political, economic, social views, or upon any other capricious basis. If it did, or if the Commission by these Regulations proposed a choice among applicants upon such basis, the issue before us would be wholly different.

The question here is simply whether the Commission, by announcing that it will refuse licenses to persons who engage in specified network practices (a basis for choice which we hold comprehended within the statutory criterion of "public interest"), is thereby denying such persons the constitutional right of free speech. The right of free speech does not include, however, the right to use the facilities of radio without a license. The licensing system established by Congress in the Communications Act of 1934 was a proper exercise of its power over commerce. The standard it provided for the licensing of stations was the "public interest, convenience, or necessity". Denial of a station license on that ground, if valid under the Act, is not a denial of free speech.

A procedural point calls for just a word. The District Court, by granting the Government's motion for summary judgment, disposed of the case upon the pleadings and upon the record made before the Commission. The court below correctly held that its inquiry was limited to review of the evidence before the Commission. The case *de novo* of the matters heard by the Commission and dealt with in its report would have been improper. *Tagg Bros.* v. *United States*, 280 U. S. 420; *Acker* v. *United States*, 298 U. S. 426. *Affirmed.*

Mr. Justice BLACK and Mr. Justice RUTLEDGE took no part in the consideration or decision of these cases.

DISSENTING OPINION

Following is the dissenting opinion rendered in the cases:

Mr. Justice MURPHY, dissenting.

I do not question the objectives of the proposed regulations, and it is not my desire by narrow statutory interpretation to weaken the authority of government agencies to deal efficiently with matters committed to their jurisdiction by the Congress. Statutes of this kind should be construed so that the agency concerned may be able to cope effectively with problems which the Congress intended to correct, or may otherwise perform the functions given to it. But we exceed our competence when we gratuitously bestow upon an agency power which the Congress has not granted. Since that is what the Court in substance does today, I dissent.

In the present case we are dealing with a subject of extreme importance in the life of the nation. Although radio broadcasting, like the press, is generally conducted on a commercial basis, it is not an ordinary business activity, like the selling of securities or the marketing of electrical power. In the dissemination of information and opinion radio has assumed a position of commanding importance, rivalling the press and the pulpit. Owing to its physical characteristics radio, unlike the other methods of conveying information, must be regulated and rationed by the government. Otherwise there would be chaos, and radio's usefulness would be largely destroyed. But because of its vast potentialities as a medium of communication, discussion and propaganda, the character and extent of control that should be exercised over it by the government is a matter of deep and vital concern.

Events in Europe show that radio may readily be a weapon of authority and misrepresentation, instead of a means of entertainment and enlightenment. It may even be an instrument of oppression. In pointing out these possibilities I do not mean to intimate in the slightest that they are imminent or probable in this country, but they do suggest that the construction of the instant statute should be approached with more than ordinary restraint and caution, to avoid an interpretation that is not clearly justified by the conditions that brought about its enactment, or that would give the Commission greater powers than the Congress intended to confer.

Finds No Authority In Contract Relations

The Communications Act of 1934 does not in terms give the Commission power to regulate the contractual relations between the stations and the networks. *Columbia System* v. *United States*, 316 U. S. 407, 416. It is only as an incident of the power to grant or withhold licenses to individual stations under §§ 307, 308, 309 and 310 that this authority is claimed,[1] except as it may have been provided by subdivisions (g), (i) and (r) of § 303, and by §§ 311 and 313. But nowhere in these sections, taken singly or collectively, is there to be found by reasonable construction or necessary inference, authority to regulate the broadcasting industry as such, or to control the complex operations of the national networks.

In providing for regulation of the radio the Congress was under the necessity of vesting a considerable amount of discretionary authority in the Commission. The task of choosing between various claimants for the privilege of using the air waves is essentially an administrative one. Nevertheless, in specifying with some degree of particularity the kind of information to be included in an application for a license, the Congress has indicated what general conditions and considerations are to govern the granting and withholding of station licenses.

Thus an applicant is required by § 308(b) to submit information bearing upon his citizenship, character, and technical, financial and other qualifications to operate the proposed station, as well as data relating to the ownership and location of the proposed station, the power and frequencies desired, operating periods, intended use, and such other information as the Commission may require. Licenses, frequencies, hours of operation and power are to be fairly distributed among the several States and communities to provide service to each. § 307(b).

Explicit provision is made for dealing with applicants and licensees who are found guilty, or who are under the control of persons found guilty of violating the federal anti-trust laws. §§ 311 and 313. Subject to the limitations defined in the Act, the Commission is required to grant a station license to any applicant "if public convenience, interest or necessity will be served thereby". § 307(a). Nothing is said, in any of these sections, about network contracts, affiliations, or business arrangements.

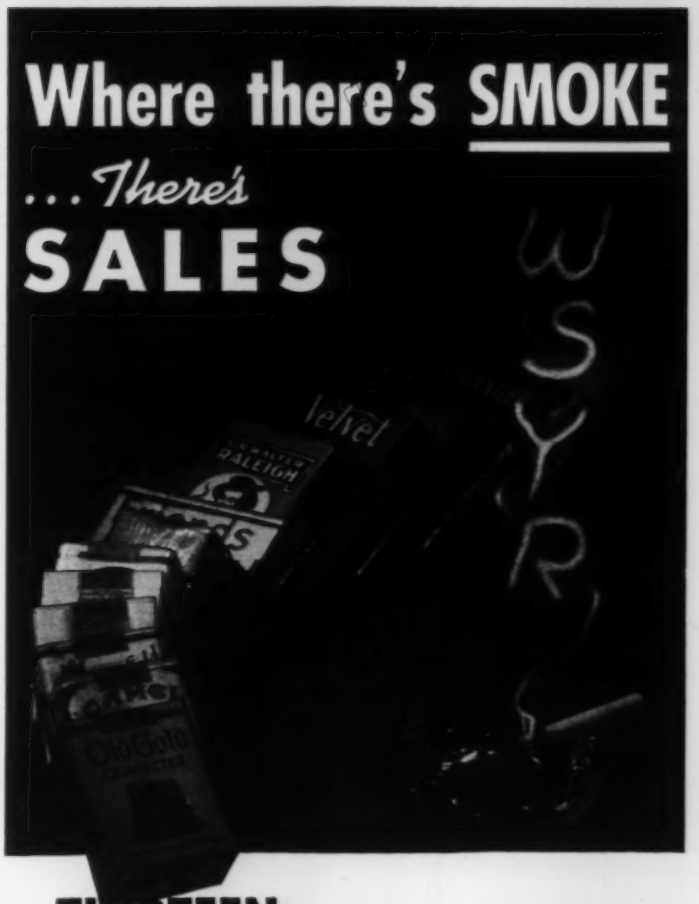
Powers Cannot Be 'Derived by Implication'

The power to control network contracts and affiliations by means of the Commission's licensing powers cannot be derived from implication out of the standard of "public convenience, interest or necessity". We have held that: "the Act does not essay to regulate the business of the licensee. The Commission is given no supervisory control of the programs, of business management or of policy. In short, the broadcasting field is open to anyone, provided there be an available frequency over which he can broadcast without interference to others, if he shows his competency, the adequacy of his equipment, and financial ability to make good use of the assigned channel." *Commission* v. *Sanders Radio Station*, 309 U. S. 470, 475.

The criterion of "public convenience, interest or necessity" is not an indefinite standard, but one to be "interpreted by its context, by the nature of radio transmission and reception, by the scope, character and quality of services". . . . *Radio Comm'n* v. *Nelson Bros. Co.*, 289 U. S. 266, 285. Nothing in the context of which the standard is a part refers to network contracts. It is evident from the record that the Commission is making its determination of whether the public interest would be served by renewal of an existing license or licenses, not upon an examination of written applications presented to it, as required by §§ 308 and 309, but upon an investigation of the broadcasting industry as a whole, and general findings made in pursuance thereof which relate to the business methods of the network companies rather than the characteristics of the individual stations and the peculiar needs of the areas served by them.

If it had been the intention of the Congress to invest the Commission with the responsibility, through its licensing authority, of exercising far-reaching control—as exemplified by the proposed regulations—over the business operations of chain broad-

[1] The regulations as first proposed were not connected with denial of applications for initial or renewal station licenses but provided instead that: "No licensee of a standard broadcast station shall enter into any contractual arrangement, express or implied, with a network organization", which contained any of the disapproved provisions. After a short time, however, the regulations were cast in their present form, making station licensing depend upon conformity with the regulations.



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Leaders appreciate WSYR's leadership . . . with its perfect combination—5000 Watts at 570 kc. (lowest frequency between Buffalo and New York). Basic Red NBC outlet serving an outstandingly prosperous area. High caliber station talent, with large local following. WSYR stays ahead of any Syracuse station not only in tobacco advertising but in foods and drugs, too.

Where there's smoke there's sales—and 13 tobacco brands make a lot of smoke over WSYR!

S T K
WSYR
SYRACUSE, N. Y.
Basic NBC Red

5000 WATTS
570 kc.
The Perfect Combination
H. C. WILDER, Pres.
Represented by RAYMER

The Basic NBC Red Network Station Covering Central New York

casting and radio networks as they were then or are now organized and established, it is not likely that the Congress would have left it to mere inference or implication from the test of "public convenience, interest or necessity", or that Congress would have neglected to include it among the considerations expressly made relevant to license applications by § 308(b). The subject is one of such scope and importance as to warrant explicit mention.

To construe the licensing sections (§§ 307, 308, 309, 310) as granting authority to require fundamental and revolutionary changes in the business methods of the broadcasting networks —methods which have been in existence for several years and which have not been adjudged unlawful—would inflate and distort their true meaning and extend them beyond the limited purposes which they were intended to serve.

Commission Not Authorized To Make 'Drastic Changes'

It is quite possible, of course, that maximum utilization of the radio as an instrument of culture, entertainment, and the diffusion of ideas is inhibited by existing network arrangements. Some of the conditions imposed by the broadcasting chains are possibly not conducive to a freer use of radio facilities, however essential they may be to the maintenance of sustaining programs and the operation of the chain broadcasting business as it is now conducted. But I am unable to agree that it is within the present authority of the Commission to prescribe the remedy for such conditions. It is evident that a correction of these conditions in the manner proposed by the regulations will involve drastic changes in the business of radio broadcasting which the Congress has not clearly and definitely empowered the Commission to undertake.

Objects to Commission's 'Assumption of Authority'

If this were a case in which a station license had been withheld from an individual applicant or licensee because of special relations or commitments that would seriously compromise or limit his ability to provide adequate service to the listening public, I should be less inclined to make any objection. As an incident of its authority to determine the eligibility of an individual applicant in an isolated case, the Commission might possibly consider such factors. In the present case, however, the Commission has reversed the order of things. Its real objective is to regulate the business practices of the major networks, thus bringing within the range of its regulatory power the chain broadcasting industry as a whole.

By means of these regulations and the enforcement program, the Commission would not only extend its authority over business activities which represent interests and investments of a very substantial character, which have not been put under its jurisdiction by the Act, but would greatly enlarge its control over an institution that has now become a rival of the press and pulpit as a purveyor of news and entertainment and a medium of public discussion. To assume a function and responsibility of such wide reach and importance in the life of the nation, as a mere incident of its duty to pass on individual applications for permission to operate a radio station and use a specific wave length, is an assumption of authority to which I am not willing to lend my assent.

Suggests 'Clear Mandate From the Congress'

Again I do not question the need of regulation in this field, or the authority of the Congress to enact legislation that would vest in the Commission such power as it requires to deal with the problem, which it had defined and analyzed in its report with admirable lucidity. It is possible that the remedy indicated by the proposed regulations is the appropriate one, whatever its effect may be on the sustaining programs, advertising contracts, and other characteristics of chain broadcasting as it is now conducted in this country. I do not believe, however, that the Commission was justified in claiming the responsibility and authority it has assumed to exercise without a clear mandate from the Congress.

An examination of the history of this legislation convinces me that the Congress did not intend by anything in § 303, or any other provision of the Act to confer on the Commission the authority it has assumed to exercise by the issuance of these regulations. Section 303 is concerned primarily with technical matters, and the subjects of regulation authorized by most of its subdivisions are exceedingly specific—so specific in fact that it is reasonable to infer that, if Congress had intended to cover the subject of network contracts and affiliations, it would not have left it to dubious implications from general clauses, lifted out of context, in subdivisions (g), (i) and (r). I am unable to agree that in authorizing the Commission in § 303(g) to study new uses for radio, provide for experimental use of frequencies, and "generally encourage the larger and more effective use of radio in the public interest", it was the intention or the purpose of the Congress to confer on the Commission the regulatory powers now being asserted. Manifestly that subdivision dealt with experimental and development work—technical and scientific matters, and the construction of its concluding clause should be accordingly limited to those considerations. Nothing in its legislative history suggests that it had any broader purpose.

Interference Problem Showed Congress' Intent

It was clearly not the intention of the Congress by the enactment of § 303(i), authorizing the Commission "to make special regulations applicable to radio stations engaged in chain broadcasting", to invest the Commission with the authority now claimed over network contracts. This section is a verbatim reenactment of § 4(h) of the Radio Act of 1927, and had its origin in a Senate amendment to the bill which became that Act. In its original form it provided that the Commission, from time to time, as public convenience, interest, or necessity required, should:

"When stations are connected by wire for chain broadcasting, [the Commission should] determine the power each station shall use and the wave lengths to be used during the time stations are so connected and so operated, and make all other regulations necessary in the interest of equitable radio service to the listeners in the communities or areas affected by chain broadcasting."

It was evidently the purpose of this provision to remedy a situation that was described as follows by Senator Dill (who was in charge of the bill in the Senate) in questioning a witness at the hearings of the Senate Committee on Interstate Commerce:

". . . During the past few months there has grown up a system of chain broadcasting, extending over the United States a great deal of the time. I say a great deal of the time—many nights a month—and the stations that are connected are of such widely varying meter lengths that the ordinary radio set that reaches out any distance is unable to get anything but that one program, and so, in effect, that one program monopolizes the air. I realize it is somewhat of a technical engineering problem, but it has seemed to many people, at least many who have written to me, that when stations are carrying on chain programs that they might be limited to the use of wave lengths adjoining or near enough to one another that they would not cover the entire dial. I do not know whether legislation ought to restrict that or whether it had better be done by regulations of the department. I want to get your opinion as to the advisability in some way protecting people who want to hear some other program than the one being broadcasted by chain broadcast." (Report of Hearings Before Senate Committee on Interstate Commerce on S. 1 and S. 1754, 69th Cong., 1st Sess. (1926) p. 123.

In other words, when the same program was simultaneously broadcast by chain stations, the weaker independent stations were drowned out because of the high power of the chain stations. With the receiving sets then commonly in use, listeners were unable to get any program except the chain program. It was essentially an interference problem. In addition to determining power and wave length for chain stations, it would have been the duty of the Commission, under the amendment, to make other regulations necessary for "equitable radio service to the listeners in the communities or areas affected by chain broadcasting."

Should Not Be 'Interpreted Out of Context'

The last clause should not be interpreted out of context and without relation to the problem at which the amendment was aimed. It is reasonably construed as simply authorizing the Commission to remedy other technical problems of interference involved in chain broadcasting in addition to power and wave length by requiring special types of equipment, controlling locations, etc. The statement in the Senate Committee Report that this provision gave the Commission "complete authority . . . to control chain broadcasting" (S. Rep. No. 772, 69th Cong., 1st Sess., p. 3) must be taken as meaning that the provision gave complete authority with respect to the specific problem which the Senate intended to meet, a problem of technical interference.

While the form of the amendment was simplified in the Conference Committee so as to authorize the Commission "to make special regulations applicable to radio stations engaged in chain broadcasting", both Houses were assured in the report of the Conference Committee that "the jurisdiction conferred in this paragraph is substantially the same as the jurisdiction conferred upon the Commission by the Senate amendment." (Sen. Doc. No. 200, 69th Cong., 2d Sess., p. 7; H. Rep. No. 1886, 69th Cong., 2d Sess., p. 17). This is further borne out by a statement of Senator Dill in discussing the conference report on the Senate floor:

"What is happening today is that the National Broadcasting Co., which is a part of the great Radio Trust, to say the least, if not a monopoly, is hooking up stations in every community on their various wave lengths with high powered stations and sending one program out, and they are forcing the little stations off the board so that the people cannot hear anything except the one program.

"There is no power today in the hands of the Department of Commerce to stop that practice. The radio commission will have the power to regulate and prevent it and give the independents a chance." (67 Cong. Rec. 3031.)

Section 303(r) is certainly no basis for inferring that the Commission is empowered to issue the challenged regulations. This subdivision is not an independent grant of power, but only an authorization to: "Make such rules and regulations and prescribe such restrictions and conditions, not inconsistent with law, as may be necessary to carry out the provisions of this Act." There is no provision in the Act for the control of network contractual arrangements by the Commission, and consequently § 303(r) is of no consequence here.

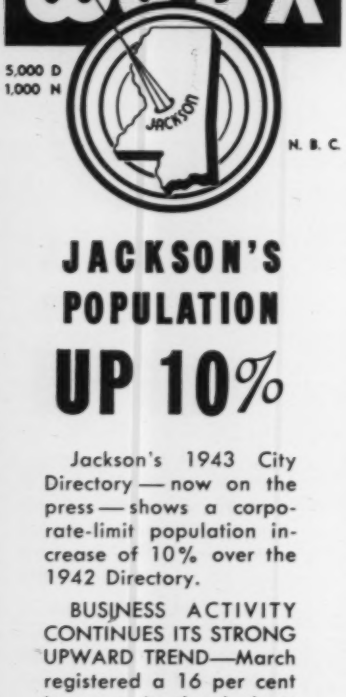
To the extent that existing network practices may have run counter to the anti-trust laws, the Congress has

WOMAN PUBLISHER DROPS LIBEL CASE

WITHDRAWAL of a $200,000 libel suit against Walter Winchell, columnist and commentator for the Andrew Jergens Co. (hand lotion) on the BLUE, Sunday 9-9:15 p.m., was announced last week by attorneys for Mrs. Eleanor M. Patterson, publisher of the Washington *Times-Herald*.

Suit had been filed last fall by R. H. Yeatman and Simon E. Sibeloff, as attorneys for Mrs. Patterson, over Winchell's comments on a *Times-Herald* editorial dealing with U. S. foreign policy.

Mrs. Patterson's attorneys explained that in a pre-trial examination Winchell had disclaimed any intention or desire to besmirch or harm the paper. The attorneys also said that Mrs. Patterson felt no good purpose could be served by further prosecution since, under Winchell's radio contract, the Jergens Company must bear the burden and the liability for all expenses, including lawyer's fees.



JACKSON'S POPULATION UP 10%

Jackson's 1943 City Directory — now on the press — shows a corporate-limit population increase of 10% over the 1942 Directory.

BUSINESS ACTIVITY CONTINUES ITS STRONG UPWARD TREND—March registered a 16 per cent increase, in the Jackson district, over March 1942.

☆

AND, WJDX, The Voice of Mississippi, dominates this profitable, growing market!

pressly provided the means of dealing with the problem. The enforcement of those laws has been committed to the courts and other law enforcement agencies. In addition to the usual penalties prescribed by statute for their violation, however, the Commission has been expressly authorized by § 311 to refuse a station license to any person "finally adjudged guilty by a Federal court" of attempting unlawfully to monopolize radio communication. Anyone under the control of such a person may also be refused a license. And whenever a court has ordered the revocation of an existing license, as expressly provided in § 313, a new license may not be granted by the Commission to the guilty party or to any person under his control.

In my opinion these provisions (§§ 311 and 313) clearly do not and were not intended to confer independent authority on the Commission to supervise network contracts or to enforce competition between radio networks by withholding licenses from stations, and do not justify the Commission in refusing a license to an applicant otherwise qualified, because of business arrangements that may constitute an unlawful restraint of trade, when the applicant has not been finally adjudged guilty of violating the anti-trust laws, and is not controlled by one so adjudged.

Congress' Intentions Made Clear Elsewhere

The conditions disclosed by the Commission's investigation, if they require correction, should be met, not by the invention of authority where none is available or by diverting existing powers out of their true channels and using them for purposes to which they were not addressed, but by invoking the aid of the Congress or the service of agencies that have been entrusted with the enforcement of the anti-trust laws. In other fields of regulation the Congress has made clear its intentions. It has not left to mere inference and guess-work the existence of authority to order broad changes and reforms in the national economy or the structure of business arrangements in the Public Utility Holding Company Act, 49 Stat. 803, the Securities Act of 1933, 48 Stat. 74, the Federal Power Act, 49 Stat. 838, and other measures of similar character. Indeed the Communications Act itself contains cogent internal evidence that Congress did not intend to grant power over network contractual arrangements to the Commission. In § 215(c) of Title II, dealing with common carriers by wire and radio, Congress provided:

"The Commission shall examine all contracts of common carriers subject to this Act which prevent the other party thereto from dealing with another common carrier subject to this Act, and shall report its findings to Congress, together with its recommendations as to whether additional legislation on this subject is desirable."

Congress had no difficulty here in expressing the possible desirability of regulating a type of contract roughly similar to the ones with which we are now concerned, and in reserving to itself the ultimate decision upon the matters of policy involved. Insofar as the Congress deemed it necessary in this legislation to safeguard radio broadcasting against arrangements that are offensive to the anti-trust laws or monopolistic in nature, it made specific provision in §§ 311 and 313. If the existing network contracts are deemed objectionable because of monopolistic or other features, and no remedy is presently available under these provisions, the proper course is to seek amendatory legislation from the Congress, not to fabricate authority by ingenious reasoning based upon provisions that have no true relation to the specific problem.

Mr. Justice ROBERTS agrees with these views.

Lane Bryant Test

LANE BRYANT, New York, women's apparel chain, has started *Melody Playhouse*, six-weekly quarter-hour variety program on WLIB, Brooklyn, to promote Brooklyn branch, which has not used radio previously. Time purchase is a test campaign, and includes an additional half-hour broadcast of the program. Several Lane Bryant stores in other localities have used spots for mail order business. Lane Bryant agency is Cramer-Tobias-Meyer, N. Y.

MBS Billings Up

MUTUAL'S billings for April showed an increase of 6.3% over the figure for the same month last year, while billings for the first quarter of 1943 represented a decrease of 5.1% over a similar period in 1942. Figure for the first four months of this year stands at $3,721,640, compared to $3,920,986 last year. April billings were $961,918 this year and $904,845 the previous year.

Edwin Hughes Honored

EDWIN HUGHES, president of National Music Council, has been awarded a citation of merit by National Assn. for American Composers and Conductors, for outstanding services to American music during the 1942-43 season. Award, which will be presented at the Waldorf-Astoria Hotel, New York, May 14, calls special attention to the Music Council's surveys on orchestral programs in relation to native compositions.

NEW IDEAS FOR
CAMPAIGN THEMES

"This campaign's got a terrific angle: Where did you get it?"

"Well, most of it was developed from an idea I got out of a recent Printers' Ink story on Farm Morale. It seemed applicable to the bottling business, so I used it. Why the smile?"

"It's funny, Bill Jones of the Chronicle called my attention to a phase of that article in connection with our textile accounts in both urban and foreign language markets, shortly after I had suggested that it had a swell thought for our chicle people to use in radio, and now you. Doesn't the usefulness of Printers' Ink ever stop?"

* * *

This little scene may be taking place in your office right now. It might be a sales and ad manager instead of the copy and accounts men, we pictured. It could be a publisher and his assistant — a space man and his account, or an agency-client conversation. It could be anyone and everyone who knows he can do a better selling job with the help of Printers' Ink.

This is normal usage for Printers' Ink material, for P. I. builds this usage, this wealth of ideas and information, into all its articles. This interpretive editorial policy delivering the "know-how" and "know-why" of advertising, management and sales, provides the vital "difference" that makes Printers' Ink the most quoted voice in the industry.

Printers' Ink

...THE VOICE OF ADVERTISING

always heard, often quoted, never ignored

BIGGEST LISTENING
IN AMERICA'S 4TH

3 TIMES AS MANY PERSONAL CALLS AS EVER MADE BEFORE!

This survey was based on personal interviews—not on telephone calls! It utilized the technique recognized as the most reliable: the one seldom used—only because it's the most costly!

WAAT

SURVEY EVER MADE

ARGEST MARKET!*

Impartial Radio Research Paid for Cooperatively Proves WAAT Invariably Delivers in North Jersey *Most Listeners Per Dollar!* Send for the Facts!

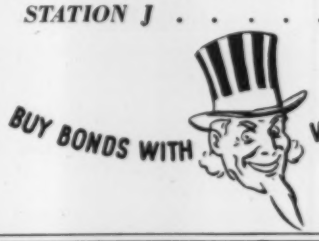
AS a smart time buyer you owe it to yourself to send for a detailed report (by ¼ hour periods) of the latest Continuous Listener Survey in America's 4th largest market—conducted by the Pulse of New York . . . whose monthly surveys are paid for cooperatively by all major stations in this area.

This survey proves conclusively that although WAAT does not deliver the most listeners in North Jersey—it invariably delivers the "Most Per Dollar."

No wonder leading agencies and advertisers are getting "on the beam"—are placing more new national business than ever before on New Jersey's First Station! It will pay you to investigate! Write, wire, or telephone WAAT; Executive Offices, Hotel Douglas, Newark, New Jersey.

2nd Largest Audience Between 12 Noon and 6 P.M. In America's 4th Largest Market

WABC	*18%*
WAAT	*13%*
STATION C	*11%*
STATION D	*10%*
STATION E	*10%*
STATION F	*8%*
STATION G	*5%*
STATION H	*4%*
STATION I	*4%*
STATION J	*3%*



"DOLLAR FOR DOLLAR, NORTH JERSEY'S BEST RADIO BUY"

**Do you realize this market contains over 3½ million people; more than these 14 cities combined:—Kansas City, Indianapolis, Rochester, Denver, Atlanta, Dallas, Toledo, Omaha, Syracuse, Richmond, Hartford, Des Moines, Spokane, Fort Wayne.*

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Without Rancor, Malice or Fear

AMERICAN broadcasting has a new business manager—the FCC. The sweeping and all-embracing decision of the Supreme Court affirms the philosophy of the FCC majority that, Congressional intent to the contrary, broadcasters are not competent to handle their own business affairs.

It is a neat victory—its greatest—for the FCC majority. We think it constitutes the most dangerous blow yet struck to the freedom of American broadcasting. Worse than that, it sanctions a most hazardous experiment in the nation's hour of greatest trial. The FCC, as far as broadcasting goes, is now omnipotent. The Sanders opinion, excluding the FCC from regulating business aspects of broadcasting, is out the window—reversed and stripped of all its power by the same court that decreed it a couple of years ago.

'In the Public Interest'

The decision transcends any mere question of network contracts. It invests the Commission with plenary powers over all station activities. The FCC appears to have a one-way street on almost every conceivable phase of station operation, save possibly direct censorship. Newspaper ownership, multiple ownership, rates, rebates and discounts, program policies—all conceivably fall within its regulatory pale. After the war, there will be other radio media—television, FM, facsimile—all subject to what the FCC may construe to be "in the public interest, convenience or necessity."

Right or wrong, the nation's court of last resort has ruled, by a 5-2 vote, in favor of the FCC. There can be no more exclusive network contracts; option-time becomes a relic of the past. A station may have "first call" on the programs of a particular network for particular segments of the broadcast day. How sustaining programs will be cleared, however, is a mystery. And how the Government will be able to get, through the networks, guaranteed clearance for its war effort programming also is a problem.

As things stand now, networks and stations must reweave the whole fabric of their business operation to meet whatever deadline the FCC may establish. Taking cognizance of the times, and of a watchful Congressional eye, we naturally assume the FCC will allow time for readjustment — certainly a reasonable time.

But the FCC can move in almost any direction at will under the broad authority vested in it by the Supreme Court majority. Nothing can happen until June 14—the date the court's mandate becomes effective.

The reasoning of the court majority is difficult to fathom, though it sounds plausible enough, if read without knowledge of the facts. On the other hand, the minority—Justices Murphy and Roberts—read out of the Congressional debates and the background the clear-cut Congressional intent that the FCC should have no control over the contractual relations of stations and networks.

More striking is that fact that both majority and minority commended the industry to Congress. Justice Frankfurter, speaking for the majority said the networks selected "the wrong forum". The minority said flatly the Commission had no authority to invoke the rules "without a clear mandate from Congress".

Only Avenue of Redress

Thus the Supreme Court, both majority and minority, points to Congress as the only avenue of redress. That has been obvious from the start of the FCC's arrogation a half-dozen years ago of powers not contemplated in the law. The industry hasn't been united. The FCC majority has resented overtures for new legislation, which would clearly define the wishes of the people as expressed through Congress. In these columns over the years there has been an unbroken, unremitting plea that Congress be petitioned for new legislation to fit the changed conditions surrounding so active and dynamic an art and industry as radio.

The majority of the court swings the balance in favor of the FCC's majority by an ingenious definition of the phrase "public interest, convenience or necessity", a yardstick incapable of precise definition. Yet by deploying it to reach a desired result, the broadcasting industry is thrown virtually into the class of common carrier operation.

There was never more compelling argument for clear cut expression from Congress. Radio has gone a long way since the existing provisions of law were written 16 years ago. So has radio regulation.

The White-Wheeler Bill is pending before a Senate subcommittee, with hearings scheduled this month. It's co-author, Senator White (R-Me.), as a member of the House, was co-author of the original Radio Act of 1927, which the Supreme Court majority now has interpreted. He *knew* the Congressional intent. He was there. He wrote most of it. He knew the Radio Commission, predecessor of the FCC, was never endowed with the broad powers the FCC majority invented.

The Cox Select Committee of the House is investigating the FCC. Contrary to some rumor, it appears to be doing an objective job. It is conducting the most exhaustive investigation of the FCC yet undertaken. It will be in a position to make legislative recommendations. It has not indulged in muck-raking or headline hunting, and evidently doesn't propose to. A capable attorney heads its legal staff. It is the duty of the industry for its salvation and self-preservation (and by invitation of the Court) to go to Congress for a new mandate.

United Front Needed

The industry must present a united front in the legislative approach. Networks and stations are not working at cross-purposes. The networks must have facilities to sell and programs to build, commercial as well as sustaining. The stations have thrived by virtue of network affiliation, despite inequities that admittedly have existed.

President Miller McClintock of Mutual has taken a fine, conciliatory attitude. He views the rules without apprehension. He pledges a fair and businesslike operation. That's a distinct departure from the position of that network before Mr. McClintock took over its helm.

Preparatory to full-scale revision of the law, one other avenue is open. On June 13, 1939, Senator Wheeler, chairman of the Senate Committee handling radio legislation, introduced a resolution expressing it as the sense of the Senate that power above 50,000 watts should not be granted by the FCC. That resolution was adopted by the Senate and forcibly eliminated the superpower issue.

Senator Wheeler is the co-author of the pending bill to amend the Communications Act on which hearings begin May 25. In the light of the Supreme Court opinions, majority and minority alike, of the doubt as to Congressional intent, of the pending legislation, and of the House investigation, why shouldn't a resolution of the same pattern issue from Congress—a simple mandate that the FCC should not invoke any of its network rules until Congress disposes of the pending legislation?

The broadcasting industry has never faced a more difficult trial than that awaiting introduction of the FCC's rules under the plenary powers it now wields. The industry must act without rancor or malice and above all without fear. The ability of the industry to serve the public as a free, unfettered, virile, aggressive instrumentality is at stake. If the law remains as interpreted, radio must become a servile, shackled pawn of an overly-solicitous Governmental agency.

An industry can live with a bad law under good administration, or perhaps with a good law under hit-and-miss administration. But no industry can live long with a bad law under bad administration. The spearhead of the drive for industry salvation can go but one way—unqualified and absolute support of the White-Wheeler Bill and the House Committee inquiry.

We Pay Our Respects To —

VICK KNIGHT

VIGOR should be Vick Knight's middle name. He has just joined Foote, Cone & Belding as vice-president and radio director for the agency. Vick will make his headquarters in the agency's Hollywood office.

Until last week he had been executive producer of radio in Hollywood for the Biow Co., New York agency. There he had charge of talent and performance on the three programs sponsored by Philip Morris cigarettes—the *Playhouse* and *Crime Doctor* on CBS and *Johnny Presents Ginny Simms* on NBC.

Vick did the same for Eversharp on the CBS *Take It or Leave It* and handled spots for Procter & Gamble's Lava soap, Teel dentrifrice and Bulova watches. In addition, he set up new programs for Biow clients.

In his spare time he turns out dramatic and musical works. His play, *Cartwheel* was selected by the Oxford U-Press as one of the "ten best in radio history", while a recent song of his, "We've Got a Job to Do", heard on a Fred Allen program, was purchased by Universal Films as a patriotic finale for the picture "Private Buckaroo". He is also author-composer of the two current hit tunes, "Savin' Myself for Bill" and "Clancy".

Vick (that's his real name) has crowded a lot into one life. Born Aug. 8, 1908, in Moundsville, W. Va., he had a taste of showboat life in his early years, his parents having been performers on the Ohio river between Pittsburgh and Cincinnati. The family finally settled down in Cleveland where Vick got his formal education at Cleveland Preparatory College.

Vick got his first taste of radio in Cleveland as a singer on WGAR. At the time he was office boy for the *Cleveland Press*, having been hired for that menial job by Fred Ripley, who later also forsook newspaper work for radio and now is manager of WSYR, Syracuse.

For a while Vick was a combination singer-announcer-director on the old WJAY, now WCLE, Cleveland, where he acquired one of his most valued radio skills, "stop watch" experience. During his summer vacations Vick tried to "crash" big time radio in New York. He met John Carlile, CBS production manager, who gave him his first job. Later he became one of three members of the program board which selected shows for Columbia network.

He tried his hand at writing plays for the *Columbia Workshop*, magazine articles, comedy scripts and music. They were good and Vick was in demand. Stoopnagle and Budd kept him busy working on all their scripts when they were on top of the radio comedy ladder.

In 1935 he produced the Chrysler *Airshow* on CBS, *Kate Smith's Bandwagon;* in 1936, *We, The People;* in 1937-38-39 he handled all of Eddie Cantor's air shows, was loaned to Rudy Vallee in 1940 for a timing and reconstruction job on Sealtest program and in 1941 became producer-director of the Fred Allen show, when he achieved the miraculous feat of getting Allen off the air on time.

Early in 1942 Vick left to become unsalaried producer-director of *Command Performance*, the official War Dept. shortwave program for service men. After the program was running smoothly, he entered his recent position with Biow agency. For four years he was producer-director of *The March of Dimes* programs for President Roosevelt's National Foundation for Infantile Paralysis.

Vick is married, has two children, Vick Jr., 14, and Virginia 10, and lives in Hollywood. He is a member of the Radio Writers' Guild, AFRA and ASCAP. He says his hobby is gardening.

Personal NOTES

LT. SETH DENNIS, of the BLUE's sales promotion department, has completed Ordnance Officer Candidate School and has been assigned to the staff and faculty of the Ordnance School, Aberdeen, Md. He will write and edit technical manuals.

RICHARD HUBBELL, television consultant for *Fortune Magazine* and formerly in charge of television production at CBS, will be speaker of the evening at the annual dinner meeting of Advertising Women of New York, at Town Hall Club, May 20.

ROLLIE WILLIAMS and Robert Carpenter have resigned as account executives of KMOX, St. Louis. Mr. Williams has gone with the St. Louis Trust Co., while Mr. Carpenter is in Washington, D. C., for instructions as a Red Cross overseas Recreational Director.

CLINTON PRESCOTT, of the commercial dept. of WSAZ, Huntington, W. Va., has been transferred to WPAR, Parkersburg, and Mildred Chernoff of WPAR has taken his place at WSAZ.

LEO E. SPAETH, former theatrical producer and writer, has joined the sales staff of WCKY, Cincinnati. He is a graduate of Xavier U. and has been with the Burroughs Adding Machine Co. and American Sales Book Co.

ROY W. McLAUGHLIN, for 20 years a salesman with the advertising division of Hearst newspapers, Chicago, has joined the sales staff of WENR, Chicago.

JUDITH POPE ANDERSON has joined the commercial department of KGVO, Missoula, Mont. She will continue to appear on the air as the *Club Calendar Reporter* and will do copywriting and selling.

WILLIAM R. YENDALL, vice-president of Wilcox Canadian Co., London, Ont., and C. R. Desverine, attorney and past president of Crucible Steel Corp. of America, New York, spoke on May 16 on CFCF, Montreal, on "Canada and U. S. and Post-War World", sponsored jointly by Assoc. of Canadian Advertisers and the American Economic Foundation.

MORSE SALISBURY, director of information of the Dept. of Agriculture, last week was named deputy administrator in charge of information of the Department by War Food Administrator Chester C. Davis.

ARTHUR L. FORREST, with NBC since 1942 in the promotion department, has been appointed manager of NBC's public service promotion division, succeeding William E. Webb, commissioned a lieutenant (j. g.) in the Navy, reporting to Quonset, R. I., for indoctrination.

ROBERT L. HUTTON Jr., formerly of the sales promotion department of WEAF, New York, has joined the sales promotion staff of WJZ, New York, as a writer, according to John McNeil, manager of WJZ. Mr. Hutton was formerly promotion manager of WCCO, Minneapolis, and before that on the sales staff of *Advertising & Selling* Magazine.

JACK H. NORTH, of Aubrey, Moore & Wallace, Chicago, has been appointed trustee of the Chicago Radio Management Club, replacing Ward Dorrell who has joined C. E. Hooper Inc., New York.

ARNOLD C. BOONE has joined KMOX, St. Louis, as salesman. He was formerly with WCKY, Cincinnati.

FIVE WOR SALESMEN GET SALES PRIZES

FIVE WOR salesmen received cash and War Bond prizes in April as they hit the sales path for a 28% increase over the same month last year. Bob Wood received first prize of $100. He made the largest single new business sales, Plough Inc., for sponsorship of Fulton Lewis five-times weekly.

Other prizes went to Bill Crawford for the largest number of new business sales; Otis Williams, greatest number of accounts not on the New York station for the last two years; Malcolm Stuart, most personal calls during first week, and John Nell, most new business in second week.

Bonus checks also were given to George Schmidt, Mr. Nell, Mr. Crawford and Mr. Stuart, of the New York office, and Mr. Wood and John Shelton, of the Chicago office.

New business sales totaled 61, including contracts from 18 accounts not on the station in the last two years.

Southard CRC V-P

PAUL E. SOUTHARD, sales manager of Columbia Recording Corp., New York, since 1939, has been elected vice-president in charge of sales, effective May 1. Starting in 1916 with the Aeolian Piano Co., Mr. Southard spent six years with the Brunswick-Balke Callender Co. His next position was with RCA-Victor in charge of the company's record operations and supervisor of Victor's Camden school for distributor salesmen. He joined CRC in 1939, where he organized the record sales department.

Mr. Southard

Mrs. Edwin M. Spence

ADELLA SPENCE, wife of Edwin M. Spence, former NAB official and director of WWDC, Washington, died in Stuart, Florida last Wednesday after a year's lingering illness. Following an operation last fall, Mrs. Spence was removed to Florida to recuperate, accompanied by Mr. Spence and their daughter Anne. A native of Atlantic City, Mrs. Spence was to be interred in a family plot at Pleasantville, New Jersey.

GEORGE DePUE Jr., for the last three years national sales manager of WSAN, Allentown, Pa., on May 17 is joining Headley-Reed Co., New York station representative, as a solicitor. Mr. DePue's appointment represents an expansion of the sales force.

JACK SPRINGER, in sales and advertising at Portland and San Francisco, has joined the sales staff of KIRO, Seattle.

TOM WHITE, former commercial manager of WJZM, Clarksville, Tenn., is now civilian supervisor of 20 warehouses in the Quartermaster Corps at Camp Campbell, Tenn.

MAURICE McMURRAY, on the sales staff of WHO, Des Moines, before he entered the Army, is now liaison officer in the War Dept.'s Bureau of Public Relations, and has been promoted to first lieutenant.

BEHIND the MIKE

GEORGE LOWTHER, writer-director-narrator of Mutual's *Superman*, and production executive for other juvenile programs including the BLUE's *Hop Harrigan*, and Mutual's *Highway Patrol*, will be a guest lecturer during the summer radio courses of NYU and Columbia U. His special topic will be script writing for juvenile listeners.

TAYLOR FRAZIER and Del Jackson have joined the announcer's ranks at WSAZ, Huntington, W. Va., taking over duties of James Martin who has left for WGAR, Cleveland. The new recruits are being trained not only for announcing but also news editing and control operating.

JACK SLATTERY, announcer of CBS Hollywood, has been assigned to the weekly *Grapevine Rancho*, sponsored by Roma Wines on that network.

FRED H. RAGSDALE, former announcer of KOL, Seattle, and KMPC, Beverly Hills, Cal., has joined BLUE Hollywood. He replaces Wilson T. Knight, who resigned to join NBC Chicago.

BETTY RHODES, star of the weekly Mutual *The Fleet's In*, has been signed for a leading role in the technicolor Paramount film, "Mardi Gras".

BRUCE DENNIS, former publicity and special events director of WGN, Chicago, has been promoted to lieutenant senior grade. He entered the Navy as a lieutenant j.g. last July.

Ann Ginn Named

ANN GINN, director of women's activities of WTCN, Minneapolis-St. Paul, has been named state chief of the household salvage campaigns, the regional WPB office announced last week. Mrs. Ginn has been state chairman of the women's division of general salvage. Her new job requires her to travel throughout the state, in charge of collection of household fats, tin, and nylon and silk hosiery. Although she begins work with her new job immediately, Mrs. Ginn will continue her acitvities with WTCN, where she has a daily program, *Around the Town with Ann Ginn*.

Miss Ginn

MARGARET WHITTEMORE, former assistant manager of the CBS studio building, has been made program assistant to William Robson, a CBS producer-director. Miss Whittemore joined CBS in 1940 as secretary to John R. Carey.

LEIGHTON BLOOD, who has been in charge of publicity for WEAF, New York, and was formerly in the NBC press department, has resigned.

DALE STAFFORD, sports editor of the *Detroit Free Press*, has begun a 10-minute sports broadcast over WJR, Detroit, addressed to the swing-shift workers. The program is aired from 12:20 to 12:30 a.m., five times weekly.

BYRUM SAAM, veteran football and baseball broadcaster, is starting his own show *The Sport Page, Byrum Saam, Editor* on WIBG, Philadelphia, six nights weekly, 7:30-7:45 p.m. Mr. Saam currently does broadcasts of both Philadelphia major league teams on WIBG and the *Atlantic Baseball Network*.

CHARLES WRIGHT, program director of WELI, New Haven, is the father of a boy.

GLORIA EILEEN McENRY (known on the air as Gloria Henry) and Robert Dale Lamb (known as Bob Lamb), of the staff of KPRO, Riverside, Cal., were married May 3. They both came from WDSU, New Orleans, where Mrs. Lamb, known as Bobbie Thompson, was a news commentator, and Mr. Lamb was an announcer and engineer.

VIRGINIA CHURCH has joined WEEI, Boston, as assistant to Alice Santti, traffic manager.

NEAL VanELLS has joined Vincennes, Ind., as announcer.

WYNONAH WINSLOW, formerly of KUTA, Salt Lake City, has joined KLX, Oakland, as news traffic manager.

DICK KOTHE, formerly of WLOL, Minneapolis, and Pete Lyman, formerly of WTCN, Minneapolis, have joined the announcing staff of KDAL, Duluth.

LEWIS A. SMITH, Notre Dame graduate formerly with WORC, Worcester, has joined WEIM, Fitchburg, Mass., as announcer.

GENE SOARES has joined WMFF, Plattsburg, N. Y., as program director. He leaves WTHT, Hartford, where he was chief announcer.

EDWARD KRUG, veteran writer and producer, is production manager of KWK, St. Louis. He has handled programs for Lever Bros., Coca Cola, Philco, Kecker Products, General Motors, and U. S. Tobacco.

DEANE S. LONG has been promoted from assistant program director to program director of KXEL, Waterloo, Ia. He came to KXEL from WAKR, Akron, where he was program director.

BILL STROTHMAN, senior announcer at KGVO, Missoula, Mont., is leaving June 1 to enter the armed services.

YVON GUNETTE of the announcing staff of CFCH, North Bay, Ont., has left to join the Royal Canadian Air Force.

RON DUNN has been named special events announcer at CKGB, Timmins, Ont., and Simone McFadden, CKGB secretary, is now doing a program, *For Ladies Only*.

CARLETON YOUNG, Hollywood radio actor, has been signed to a term contract by 20th Century-Fox Film Corp.

BUD HIESTAND, announcer on the weekly NBC *College of Musical Knowledge*, sponsored by American Tobacco Co. (Lucky Strike cigarettes), has resigned that post to join OWI, San Francisco.

TOM CAFFERTY, announcer of WGN, Chicago, entered the Army last week at Camp Grant, Ill., as a private.

JERRY BURNS, sports announcer of KXOK, St. Louis, has started a new program, *Sports From A Different Angle*, heard across the board at 10:15 p.m. He will bring leading figures in sports to the mike several times each week. Harry Renfro and Guy Lowe have been assigned to the civilian defense announcing staff, their duties to include broadcasting incidents and dispatching rescue squads and equipment over the OCD radio system during blackouts and actual air raids.

Super-Boner

EX-PRIZE FIGHTER Willie Meehan, who keeps his muscles flexed these days as guard at KSFO, San Francisco, committed the unpardonable. He bounced a sponsor. Frank Bull, of Smith & Bull, who signed a contract for client Seaboard Finance for two newscasts daily, dropped in with the station's commercial manager, Mort Sidley, to hear the broadcast. Properly indignant with these two who had not only arrived late but had failed to register, Meehan asserted his authority. "Nobody gets past Willie Meehan without a pass," he said. But the name Willie Meehan rang bells for Frank Bull, and 15 minutes later, the boys had relived (conversationally) many a Dempsey-Meehan battle. Happy though bounced, Mr. Bull returned another night to hear the show.

GEORGE SKINNER from WWVA, Wheeling, W. Va., where he was special events director, and Austin Williams, former production manager of KLZ, Denver, have joined WLW, WSAI, as announcers, according to George C. Biggar, WLW program director.

ELIZABETH SORENSEN has replaced Lillian Robinson, resigned, as music librarian of W67NY, CBS FM station.

BEN BRADY, who conducts *Ad Lib To Brady* on WEAF, New York, left last Friday for his Army induction examination.

FRANCES COREY, who conducts *Women and the War* on WQXR, New York, is the mother of a baby girl born May 2.

FRANK BURKE, for two years with William Morris Agency, Chicago, has opened the Frank Burke Artist Bureau, with offices in Suite 1800A, Merchandise Mart, Chicago. Telephone is Delaware 4950. Mr. Burke has been appointed personal representative of Don McNeill, m.c. of the BLUE Network's *Breakfast Club*.

COLLEEN MOORE, former movie star, has joined WGN, Chicago, to conduct a new late afternoon children's safety program titled *Safety Lane Time*.

TOM McINTYRE has been named news editor of WOR, replacing Fleet Mack, who resigned to join the OWI. Lucy Kent, until recently assistant to Maj. George Fielding Eliot, has joined the news staff.

NELSON BAKER has left the news department of WFBR, Baltimore, to become news editor of WIBC, Indianapolis. Stan Corley has joined the WIBC news staff, coming from WJWC, Hammond.

JACK LUCAS, announcer of WELI, New Haven, is now taking basic training at Camp Robinson, Ark.

DELTA SNEEN, of Minneapolis, has joined WFHR, Marshfield, Wisc.

STANLEY DIXON has left WGRC, Louisville, to join KSO-KRNT, Des Moines, where he will continue broadcasts to Mutual.

CHARLEIN CONN, of Vancouver, B. C., and Vivien Bertnober, Seattle, have joined the music library, KIRO, Seattle.

FRANK P. MANSUY, from WGBI, Scranton, and Henry Joyner of Michael Leonard, who left the staff have joined WNBF, Binghamton, N. Y., as announcers.

DWIGHT HAUSER, writer of *Raffles*, five-weekly quarter-hour sustainer on CBS Pacific stations, has joined the CBS writing staff.

MAJ. DICK DIESPECKER, Canadian Army radio liaison officer, and formerly with CJOR, Vancouver, will have his half-hour dramatic play *Maple Street* produced on the Canadian Broadcasting Corp. national network on May 12. The play is placed in a desert foxhole in Tunisia, recalls home town to two soldiers in the foxhole. Diespecker has written other Canadian radio plays, including the 1942 series *Men of War*. Major Raymond Massey, famous Canadian stage star, is slated to play the supporting role in *Maple Street*.

ELIZABETH LONG, in charge of Women's Interests at the Canadian Broadcasting Corp. national program office, Toronto, is making a trans-Canada tour in the interests of women's programs, arrived in Vancouver early in May.

BILLIE BROWN, now heard on CJOR, Vancouver, recently celebrated 19 years of Canadian broadcasting, centered mainly about Vancouver.

JACK BANNER, publicity director of WNEW, New York, on May 13 resigned to join the Maritime Service as a lieutenant.

CPL. WILLIAM HIPPEE, on leave from the newsroom of KSO-KRNT, Des Moines, returned recently from Camp Claiborne, La., to marry Margaret Chambers, of Des Moines.

STEWART DEAN will resume duties as announcer of WFAA-WBAP, Dallas and Fort Worth, until assignment to the second phase of flight training, having just completed the first part of the CAA course.

GRETL URBAN, daughter of Joseph Urban, composer and conductor, has been named manager of the music department of Associated Music Publishers, Inc.

TED LENZ, newscaster, has returned to KSAN, San Francisco, following honorable discharge from the U. S. Maritime Service. Announcer Harry Doyle has rejoined the staff.

CHUCK KANE, announcer, has returned to KYA, San Francisco.

MRS. INA SHIPPEY, formerly of the Visalia Times-Delta, Visalia, Cal., and Robert Fasson, news commentator, have joined the news staff of KPO, San Francisco.

YVONNE RIVET has been appointed assistant to Leopolde Houle, press and information chief for Quebec province for the Canadian Broadcasting Corp., Montreal.

NORVELL SLATER, announcer of the Early Birds, WFAA-WBAP, Dallas and Fort Worth, is the father of a baby girl.

Several Changes in Farm Staff Announced By CBC

W. J. McPHERSON, agricultural economist, has joined the staff of the CBC farm broadcast department at Toronto. He was formerly with the Bank of Nova Scotia, Manitoba Pool Elevators Ltd., and lately has been secretary to the National Farm Radio Forum. McPherson replaces Neil M. Morrison, who has been appointed CBC supervisor of talks at the national program office, Toronto.

Harry J. Boyle, farm commentator for Ontario and English-speaking Quebec, has been transferred to the farm broadcast department of the national program department. He was formerly with the *Stratford* (Ont.) *Beacon-Herald*, and prior to that farm commentator on CKNX, Wingham, Ont. His new work will be the coordination of the CBC's daily regional noon farm broadcasts to make this service more unified across Canada. Boyle's place on the Ontario regional farm broadcast is taken by A. R. Kemp, new to radio, farm specialist of the *Sarina* (Ont.) *Observer*.

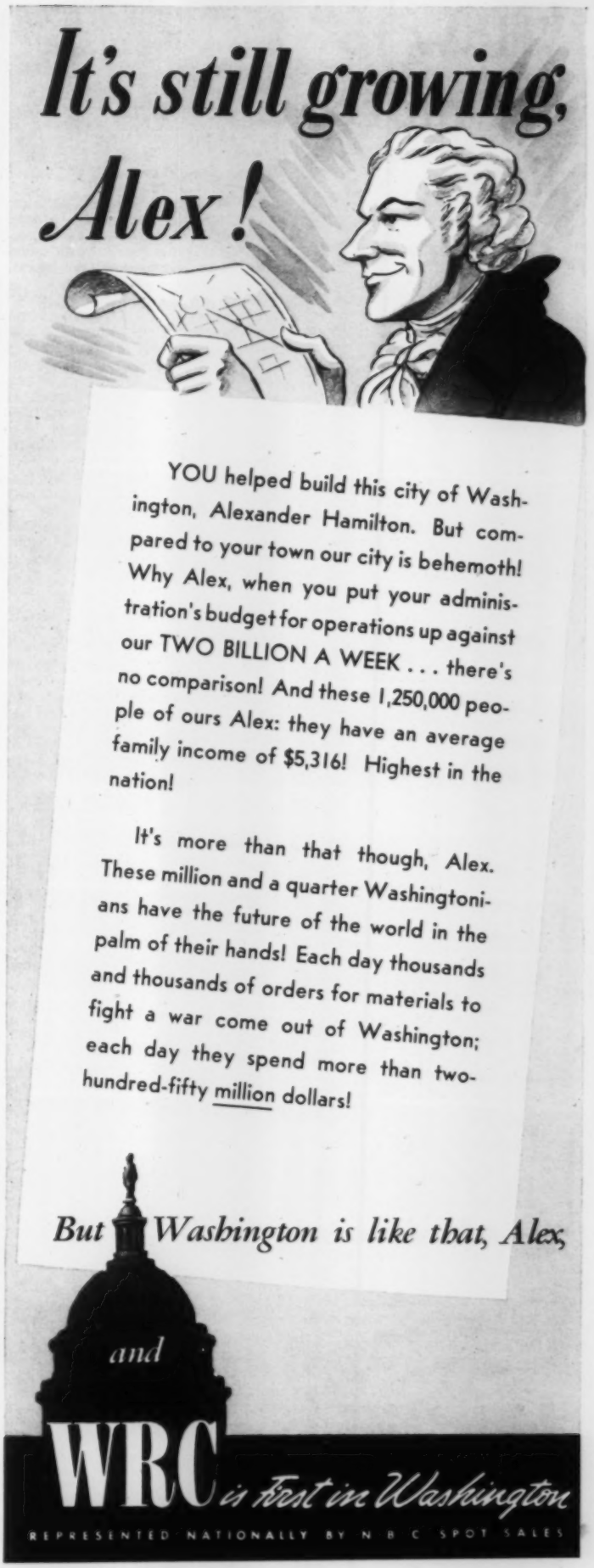
NYU Workshop Faculty

ROBERT J. LANDRY, CBS director of program writing, has been appointed director of the Summer Radio Workshop of New York U. for 1943, succeeding Douglas Coulter, CBS director of broadcasts. Earle McGill, a CBS program director, will once again be in charge of production for the Summer Workshop, which will be conducted July 6 to Aug. 13. Included will be lectures by leading authorities in the radio field, sessions on radio in the classroom, field trips, and visits to rehearsals and broadcasts of leading network shows.

DORIS HASTINGS, secretary to Thomas Velotta of the BLUE's news and special features division, has been made head of the program division of the network's research department. Priscilla Lombard leaves the staff of the program business office to take over Miss Hastings' former duties.

ROBERT L. McKEE has left the announcing staff of WBBM, Chicago, to rejoin NBC Chicago, succeeding Fort Pearson, who has joined the Navy.

MYRON GOLDEN, continuity writer of NBC, Chicago, has been appointed assistant continuity editor.


It's still growing, Alex!
YOU helped build this city of Washington, Alexander Hamilton. But compared to your town our city is behemoth! Why Alex, when you put your administration's budget for operations up against our TWO BILLION A WEEK . . . there's no comparison! And these 1,250,000 people of ours Alex: they have an average family income of $5,316! Highest in the nation!
It's more than that though, Alex. These million and a quarter Washingtonians have the future of the world in the palm of their hands! Each day thousands and thousands of orders for materials to fight a war come out of Washington; each day they spend more than two-hundred-fifty million dollars!
But Washington is like that, Alex,
and
WRC is first in Washington
REPRESENTED NATIONALLY BY N B C SPOT SALES

"How to get more listeners per dollar in the Atlanta market"

•

A new study of comparative coverage in the Southeast's Number One market

•

WAGA or Headley-Reed will be happy to furnish you with a copy

WAGA
Atlanta
FORT INDUSTRY STATION
5,000 WATTS
DAY & NIGHT
NATIONAL REPRESENTATIVES
HEADLEY-REED COMPANY

94 QUALITY BAKERS USING SPOT SERIES

QUALITY BAKERS of America, New York, has started a spot radio campaign to obtain from housewives and local grocers support for the Government nutrition program and to promote bread and Flavo-Range Baking through 94 member bakeries.

Public service angle, including an attempt to get 75,000 grocers to pledge themselves as "home front quartermasters," is an added feature in the cooperative organization's radio advertising.

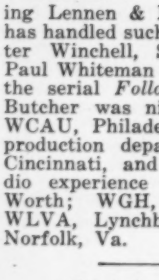
Beginning in mid-April Quality Bakers began distributing spot announcements to members for placement on local stations 12 to 15 times weekly. Live spots will be followed by transcriptions now in processing. In the fall shift will be made to quarter-hour transcribed programs for about 50 stations.

Last year Quality distributed announcements for use in a campaign for Flavo-Range on approximately 35 stations [BROADCASTING, June 8, 1942].

Store displays, truck posters, full-page ads in papers and other media are being used as well as radio.

Blayne R. Butcher Goes To Ward Wheelock Co.

BLAYNE R. BUTCHER, executive in the radio department of Lennen & Mitchell, New York, for nine years, is joining Ward Wheelock Co., New York, as radio director the latter part of this month. Among other duties he will supervise the *Radio Reader's Digest* program, sponsored on CBS by Campbell Soup Co.



Mr. Butcher

Prior to joining Lennen & Mitchell, where he has handled such programs as Walter Winchell, Sammy Kaye and Paul Whiteman musical series, and the serial *Follow the Moon*, Mr. Butcher was night supervisor of WCAU, Philadelphia, was in the production department of WLW, Cincinnati, and had previous radio experience with WBAP, Ft. Worth; WGH, Newport News; WLVA, Lynchburg, and WTAR, Norfolk, Va.

Serials Archived

SCRIPTS of two NBC serial programs, *Pepper Young's Family* and *When a Girl Marries*, both authored by Elaine Stern Carrington, have been requested by Princeton U. for inclusion in its Archives of Radio. General Foods Corp., New York, sponsors the latter program for its various food products, while Pepper Young is sponsored by Procter & Gamble Co., Cincinnati, for Camay soap and Chipso.

Swing Repeats Broadcast

RAYMOND GRAM SWING, BLUE commentator, on May 10 will repeat a broadcast he made ten years ago in which he indicted the burning of books in Germany. Talk will be repeated at the request of the Office of War Information and the Council on Books in Wartime.

'EDUCATION' MADE POPULAR

KDKA Pet, 'Adventures in Research', Wins Adult Interest For School Feature

AN EDUCATIONAL program which has won instantaneous popularity among old and young alike is the 15-minute *Adventures in Research*, which originates at KDKA, Pittsburgh. Started on Jan. 7, 1942, as a local feature, the "KDKA pet" is now carried by 96 stations in 43 states and Alaska. KVCV, Redding, Calif., is the latest to adopt the show.

Adventures in Research has become a "national institution of learning," through the answers to countless commonplace and intricate questions submitted by the radio audience to Dr. Phillips Thomas, veteran engineer of Westinghouse Research Laboratories.

When the program was introduced it was designed primarily to appeal to adolescents. It was conceived as a practicable supplement to the academic pursuits of youngsters of high school age. But the questions submitted for Dr. Thomas' solution by husbands, wives and many of advanced learning soon indicated *Adventures in Research* had attracted a cosmopolitan adult audience.

KDKA's popular 5:45 p.m. Saturday program was adopted by the other stations in the Westinghouse group, KYW, Philadelphia; WBZ and W-67-B, Boston; WBZA, Springfield, Mass.; WOWO, Fort Wayne, and W-75-P in Pittsburgh. Thereafter its adoption in all sectors of the United States was rapid.

Today Dr. Thomas is deluged with a wide variety of queries ranging from those which deal with prosaic household gadgets to others probing deep into the mazes of science. He is interviewed by Paul Shannon, KDKA Staff Announcer, who casually asks and discusses the questions from which many little-known facts evolve.

QUIZZER PAUL SHANNON, KDKA staff announcer (l), who interviews Dr. Phillips Thomas on *"Adventures in Research,"* Saturdays at 5:45 p.m.

Schools in many cities have adopted *Adventures in Research* as a part of their curriculum. They borrow the weekly transcriptions that the student bodies may assimilate the wealth of worthwhile information.

Much credit for the success of the program must be given to Dean Jackson, KDKA's "man behind the scenes," who produces the program.

Walter Guild Is Named As Partner in Agency

WALTER GUILD, vice-president and radio director of Sidney Garfinkel Advertising Agency, San Francisco, is now a full partner in the firm. Coincidental with the new partnership the head of the agency has changed his name to Sidney Garfield. Name of the agency is now Garfield & Guild, Advertising, and new headquarters to provide office space for increased personnel are at 660 Market St. Agency now occupies the penthouse floor of the Pacific Mutual Life Insurance Building.

Mr. Guild

Associated with the Garfinkel Agency for four years, Mr. Guild is the author of a recent article on the woes of the spot radio buyer [BROADCASTING, April 5].

CBS foreign correspondent Larry Lesueur's forthcoming book on Russia will be titled *12 Months That Changed the World* and will be published by Alfred A. Knopf, July 12.

Stars in Films

NEGOTIATIONS for a Columbia Pictures Corp. film based on the life of Al Jolson, were completed by the star of the Colgate-Palmolive-Peet show, during early May. Withdrawing from his major role in the RKO film, "Around the World", Edgar Bergen will devote full time to his radio commitments and Army camp show appearances, it was said. Kay Kyser will be featured.

WWL
NEW ORLEANS
50,000 WATTS
The Greatest Selling POWER in the South's Greatest City
CBS Affiliate
Nat'l Rep. - The Katz Agency Inc.

Agencies

ATHERTON W. HOBLER, New York board chairman of Benton & Bowles Inc., is in Hollywood for a week's conference with Al Kaye, West Coast representative and producer, to discuss a summer replacement show for the weekly NBC *Maxwell House Coffee Time*, sponsored by General Foods Corp. (coffee). Current season ends July 1, with half-hour variety series scheduled to resume following an eight-week hiatus.

HARRY M. SAVAGE, formerly in charge of the script and public relations department of Harry E. Foster Agencies in Toronto, is now a Pilot Officer in the RCAF, attached to the Radio Branch of the Department of Public Information, Ottawa. He has been assigned to work with the Adv. Agencies of Canada and will assist Jack Horler of Baker Adv. Agency in production of a new series of quiz broadcasts featuring RCAF personnel.

C. W. CULPEPPER, freelance copy writer, has joined the copy department of Hillman-Shayne-Breyer, Los Angeles. Mr. Culpepper will also handle research.

ROBERT A. DAVIES Jr., formerly of George P. Hollinbery Co., station representative, has joined Donahue & Coe, New York, as account executive.

EDWARD F. THOMAS has left Carl Byoir & Assoc. to join the publicity staff of Geyer, Cornell & Newell, New York.

HOMER GRIFFITH Co., Hollywood, has been appointed western representative of KTKC, Visalia, Cal.

HONOR GUEST Emerson Foote, president of Foote, Cone & Belding, chatted with network and agency executives at an informal Hollywood reception tendered him during a West Coast trip. Hollywood hosts (l to r), are Donald W. Thornburgh, Pacific Coast vice-president of CBS; Mr. Foote; Lewis Allen Weiss, vice-president and general manager of Don Lee Broadcasting System; Don Belding, Los Angeles manager and chairman of the board of Foote, Cone & Belding; Don E. Gilman, western division vice-president of BLUE, and Lewis S. Frost, assistant to Sidney N. Strotz, western division vice-president of NBC.

MARY BURKE, a member of the publicity staff of BBDO, New York, in 1938, has returned to the agency as assistant to Bill Maloney, publicity director. Miss Burke replaces Mary O'Neil, who is giving up her business career to devote her time to her home. Miss Burke has been active in the agency field as publicity representative and account executive since leaving BBDO several years ago.

CORLIS WILBER, program supervisor in the radio department of Compton Adv., New York, has been placed in charge of all daytime serials for the agency. Joan Geddes, former publicity director, has been named program supervisor in charge of new programs, while Lillian Schoen of the radio department replaces Miss Geddes as publicity head.

DOUGLAS V. MARTIN Jr. has joined the Gardner Adv. Co., St. Louis, in an executive capacity. He is the originator of the "49th State" definition of the St. Louis Globe-Democrat market and has headed the paper's promotion department for 21 years.

MAXINE SMITH, at one time motion picture editor of the *Chicago American* and more recently freelance publicity writer, has been appointed Pacific Coast radio publicity director of J. Walter Thompson Co., Hollywood.

WICK CRIDER, New York publicity director of J. Walter Thompson Co., returns to his headquarters in mid-May following 10 days' conferences with West Coast executives of that agency.

JOHN DOHERTY, formerly production manager of Franklin Bruck Adv., New York, has joined Peck Adv., New York.

A. W. NEALLY, former vice-president of Gardner Adv. Co., St. Louis, has joined Blackett-Sample-Hummert, Chicago, as account executive.

JACK W. MURRAY, associated with Robert E. Clarke & Assoc., Miami, has joined Donahue & Coe, New York, as account executive and member of the service staff.

KNIGHT MADE V-P OF F-C-B AGENCY

VICK KNIGHT, who resigned as executive producer for Biow Co. on the West Coast in April, has joined Foote, Cone & Belding as vice-president and radio director, with headquarters in the agency's Hollywood office (see 'We Pay Our Respects To'). His first assignment will be the new Campbell Soup Co. program starring Jack Carson which starts on a CBS nationwide network June 2.

Mr. Knight has been in New York the last few weeks clearing up his affairs with Biow. His most recent creation was the Philip Morris & Co. program *Johnny Presents Ginny Simms*, which has risen steadily in popularity since it started on NBC last September. Since his resignation from Biow, John Ryder, manager of the agency's Hollywood office, has taken over temporary supervision of the Ginny Simms show as well as the CBS *Take It Or Leave It* show.

Mathes Vice-Presidents

DR. O. L. TINKLEPAUGH, director of research and merchandising, of J. M. Mathis Inc., New York, and Howard W. Newton, copy director of the agency, have been elected vice-presidents. Dr. Tinklepaugh was associated with Lennen & Mitchell, New York, in research work, prior to joining present agency five years ago. Before joining L & M, he served as personnel director of Vick Chemical Co. Mr. Newton, who has served as copywriter for several agencies, once headed an agency in California.

WROK

NOW AFFILIATED WITH THE BLUE NETWORK

1000 WATTS

ROCKFORD, ILLINOIS

OWNED AND OPERATED BY ROCKFORD CONSOLIDATED NEWSPAPERS, INC.

NATIONAL REPRESENTATIVES: HEADLEY-REED CO.

Purely PROGRAMS

BRITISH counterpart of the BLUE's *Chamber Music of Lower Basin Street* is now in full swing with the overseas edition under the direction of James Dyrenforth, an American serving on the BBC production staff. Titled *Music Society of Lower Basin Street,—The British Branch*, the series is short-waved to fighting forces in Europe Tuesday, 9:35 p.m., London time, and is also heard on the BBC's Home Service broadcasts. The English version uses Paul Lavalle's musical arrangements, which are shipped abroad in micro-film form. American program is sponsored on the BLUE by Jergens Co., Atlanta, in behalf of Woodbury Soap. Agency is Lennen & Mitchell Inc., N. Y.

Home Front Heroes

HEROES on the home front—men and women who have performed outstanding feats on the production line, or in other fields related to the war effort—are saluted on Mutual's *Double or Nothing* in a new cycle of morale-building features. Program has honored United Nations countries, the armed services, and war effort organizations. Chief pilot of American Airlines was singled out for recognition on a recent broadcast. Plannaco Inc. sponsors the program.

New Exchange Service

BY LISTENING to the *Let's Go Victory Gardening* series on WTOC, Savannah, Monday through Friday, 10:05-10:20 a.m., victory gardeners may exchange plants of which they have an over-abundance for other plants needed, through a service which puts listeners in touch with others where an exchange is possible. Other features of the program are news on when and what to plant, how to lay out a garden, what fertilizers to use, how to rotate crops, pest control, and daily recipes giving full balanced meal using fewest number of ration points. Derst Baking Co. sponsors the program. Sample scripts are available on request.

* * *

High School Tie-up

HIGH SCHOOL students are radio markets of tomorrow, was conviction of CKGB, Timmins, Ont., when it initiated a successful group of programs by and for high school youth. The plan embraces a Collegiate Quiz contest; an English reading contest in collaboration with the school faculty; a school of radio for enterprising students; and now a Collegiate Caravan devoted solely to student activities and produced by the students themselves. Results: goodwill from tomorrow's buyers, cash from six sponsors, new station personnel and generally improved civic relations.

* * *

Rumor Stopper

TAKING OWI's advice about "stopping that rumor" WFIL, Philadelphia, has started a special Rumor Department which functions as a regular feature of the weekly program, *Sweet Land of Liberty*, sponsored by the Land Title Bank & Trust Co. Called *Foiling the Phonies*, this section of the program presents a dramatization of some rumor currently going the rounds and proves it to be groundless. Background material is obtained from the OWI and the scripts are being made available by WFIL to interested stations.

* * *

Best Foot Forward

DANCE exercises have been added to *What's New*, Nancy Grey's women's program at WTMJ, Milwaukee, each week day, 8:30 to 9 a.m. Nancy McKnight, modern dance exponent, will have charge of "Your Best Foot Forward", as the new feature is known. Six women will be invited to the studio each morning to participate in the dance lessons, which promote physical fitness in wartime. Miss McKnight also will do a newspaper series to tie in with the broadcasts.

* * *

KNX Open House

CALLING ATTENTION to its outstanding programs for each ensuing week, KNX, Hollywood, on April 26 inaugurated a 25-minute series, *KNX Open House*, Saturday, 5-5:25 p.m. (PWT). Program includes interviews with talent as well as production staff members on current shows. Beverly Barnes, station exploitation director, is mistress of ceremonies, with Lud Gluskin musical director.

Intruders

WHEN Betty Wells, operator of *Women's Club* on KSO, Des Moines, invited listeners to enroll as members, she was amazed to find six men among the first hundred writing in. Swing shift, with men home at odd hours, seems the logical explanation, says KSO.

Yankee Doodle Quiz

INSPIRED by the current controversy over students' ignorance of American history, precipitated by the *New York Times* survey, WJZ, New York, has started a Saturday program, titled *Yankee Doodle Quiz*. Three adults team against three high school students in the broadcasts, each of which deals with a single historical field, such as transportation, or inventions. Brief dramatizations, employing sound effects and actors, introduce each round of questions.

* * *

Note Quotes

TO ENCOURAGE listeners to write more letters to servicemen, and to use space-saving V-Mail, *Singin' Sam*, MBS series sponsored by Barbasol Co., invites listeners to take part in a "Quote from a Note" feature. Listeners send in "quotes" from letters from servicemen, and for each one used on the broadcast, Singin' Sam will send a $10 money order made out in the name of the uniformed man. Agency is Erwin, Wasey & Co., New York.

* * *

Prophylactic

INFORMATION for fruit-growers of Southern New Jersey and Eastern Pennsylvania is being given week-to-week by KYW, Philadelphia. Spotted each Saturday morning at 6:35 a.m. during the regular *R.F.D. 1060* broadcasts, the feature deals largely with the incidence of common diseases and insects in specific fruit-growing areas and what growers can do to prevent damage to their fruit crop.

* * *

Bonus

BONUS prize of $10 for every tenth question missed by the *Play 'Em or Pay 'Em* musicians ties in with the tenth anniversary of the Pate Oil Co., sponsor of the show on WTMJ, Milwaukee, 5:30 to 6 on Sunday afternoons. Listeners and audience try to stump the music makers with old and new song titles, with cash prizes for every one missed.

* * *

Quartermaster Hour

DEDICATED to the Quartermaster Corps, WFIL, Philadelphia, has started a new weekly program called *The Quartermaster Quarter Hour*, dramatizing the needs of our soldiers fighting on foreign fronts. It is under the direction of Capt. Thomas D. Richter, of the Quartermaster Depot in Philadelphia.

* * *

Rationing Help

WITH Gremlins demonstrating the "Do's and Don'ts" of food planning and a Question Box based on queries from listeners, *What's Cookin'* on KIRO, Seattle gives housewives advice in meeting rationing problems four quarter hours weekly at 3 p.m.

NATIONAL ADVERTISERS and New York's numerous nationalities have one thing in common. They both agree that WBNX is THE FOREIGN LANGUAGE STATION of GREATER NEW YORK.

No wonder, then, that WBNX with its 5,000 watts, directional, plays the dominant role in selling the 5,000,000* foreign-language-speaking-audience of the world's greatest market.

To cash in on the opportunities of this super-market, advertise your national products over WBNX, the Winner of the Peabody Citation for Public Service to Foreign Language Groups.

** Over 70% of metropolitan New York's population is foreign born or of foreign parentage.*

Your Best National Spot Buy . . .

WBNX New York 5000 Watts

FOR OFFENSE FOR DEFENSE *Buy U.S. Bonds Today!*

Freedom's Workshop

USING scripts already produced on other stations, as well as original dramas on the general theme of America's way of life in wartime, WNYC, New York, has started a weekly program titled *Freedom's Workshop*. Station has also instituted broadcasts of public recitals by promising music students, in cooperation with the music department of the Brooklyn Museum. Artists compete for a certificate of merit awarded by a board of musicians.

* * *

Local Musical

NEW all-Milwaukee half hour music show under sponsorship of Allis-Chalmers Co., of West Allis, Wisc., over WTMJ and W55M, Milwaukee titled, *Made in Milwaukee*, makes use of a 22-piece orchestra and services of Gertrude Bartlet, dramatic soprano. Program originates on stage of the studio auditorium.

* * *

Immortal Voices

REVIVING the great singers of the past, WWL, New Orleans, last week started *Immortal Voices*, a program made possible when a New Orleans music lover, Theodore Baptist, placed at the station's disposal a collection of 3,000 classical records dating back to the first days of voice recording. Continuity is by Terry Brick.

* * *

Reverse English

LISTENERS are given the chance to hear the professors answer the questions for a change in the new *Profs Are Human* program on KGO, San Francisco. Each week a board of three professors, chosen from Stanford, U. of California and local colleges in San Francisco, are quizzed by m.c.s George Fenneman and Bob Sweeney.

* * *

Waves, Spars, Marines

WAVES, Spars and Marines getting their "boot training" at the Naval Training School in New York, take part in a half-hour program heard on WOV, New York. Broadcasts take the form of dramatized letters to parents, interspersed with popular and military tunes.

* * *

Sea Tales

TITLE of a new weekly series of programs on KGO and the Blue network on the Pacific Coast, is *Men of the Merchant Marine*. Dramatizing true experiences undergone by the men of the Merchant Marine the program is narrated by Jack Moyles. Dick Tate is writer and producer.

* * *

Soap Opera Formula

THE "SOAP OPERA" formula is used by the N. J. League of Women Voters, in a series on WPAT, Paterson, N. J., designed to define the civilian's attitude towards wartime government, and to boost morale. Montclair State Teacher's College radio workshop is collaborating in the production.

* * *

Coast Guard Voice

COAST GUARD base on Government Island is the originating point for *Voice of the Coast Guard*, a new series on KGO and the Blue network on the Pacific Coast. Bill Baldwin, KGO director of special events, conducts the series.

OWI'S EISENHOWER TAKES COLLEGE JOB

RESIGNATION of Milton S. Eisenhower, deputy director of OWI, was announced by Elmer Davis last week. Mr. Eisenhower, who has been administrative trouble-shooter for OWI since it was set up a year ago, is to leave about Sept. 1, to become president of Kansas State College, his alma mater.

A veteran of 20 years in government, Mr. Eisenhower has always been closely associated with radio through intimate friendships resulting from associations in the Agriculture Dept. in the 1920s. Among his friends there were Frank E. Mullen, NBC vice-president and general manager; Frank M. Russell, NBC vice-president; Lt. Com. Harry C. Butcher, CBS vice-president now on active duty, and Sam Pickard former radio commissioner, and later CBS vice-president. At Kansas State he will have opportunity to participate in radio through KSAC, the college station.

As director of information for Agriculture Mr. Eisenhower was an early advocate of the use of radio, and in 1926 helped establish the *National Farm & Home Hour*. He served as director of information for Agriculture until 1940, when he went with the War Relocation Authority. It has been said the plan for OWI was largely his creation. Gen. "Ike" Eisenhower is his brother.

Benes on Wax Series

QUARTER-HOUR radio portrait of Eduard Benes, president of the Czechoslovak Government in exile, with Paul Muni cast as Benes, is being distributed to a selected list of stations by World-Wide Broadcasting Foundation for broadcast during the stay of President Benes in this country, May 13 to 22. Program is one of a series of transcribed profiles of leaders of the United Nations. Future transcriptions will include portraits of Chiang Kai-Shek, Queen Wilhelmina, King Haakon and others.

APRIL RATINGS UP IN HOOPER REPORT

APRIL 30 Hooper "National" Program Ratings Report indicates that 10.6% of the 123 network sponsored programs show significant gains in their ratings over the previous report, a gain not shown by a single program in April, 1942. Only 18.7% of the programs showed significant losses this year. The Evening Average Audience Index, which currently stands at 10.5, also shows an increase of more than 10% over last year in the audience to sponsored evening network programs.

Heading the list of "First 15" programs in the April 30 report is *Bobe Hope*, followed by *Fibber McGee and Molly*, Charlie McCarthy, *The Aldrich Family*, Jack Benny, *Radio Theatre*, *Mr. District Attorney*, Walter Winchell, Frank Morgan-Fannie Brice, Rudy Vallee, Bing Crosby, *Screen Guild Players*, *Take It Or Leave It*, Kay Kyser and Fred Allen. Red Skelton continues to lead after 10:30 p.m. (EWT).

HOOPER shows what Kansas City knows

KCKN is 3rd in KANSAS CITY

KCKN—A 250-watt local non-network station holds *more* day-time listeners than three network outlets at a *lower* program rate.

KCKN is programmed entirely and exclusively for Kansas City's 725,000 "city" listeners. No other Kansas City station is programmed exclusively for the metropolitan city audience. No other Kansas City station offers national advertisers a low "local" rate.

	Morning	Afternoon	¼-Hr. Rate
Network Station A	37.2%	29.5%	$50.00
Network Station B	27.3%	37.2%	$57.50
KCKN—LOCAL	10.1%	14.4%	$18.00
Network Station C	8.6%	8.2%	$43.20
Network Station D	8.8%	6.2%	$40.00
Network Station E	6.2%	3.1%	$30.00

Hooper — October through February
Radio Advertising Rates & Data—May

KCKN

ELLIS ATTEBERRY, General Manager

CAPPER PUBLICATIONS, INC.

In N. Y. C. — 420 Lexington — Mohawk 4-3280
In Chicago — 180 North Michigan — Central 5977

THE Business OF BROADCASTING

STATION ACCOUNTS

sp—studio programs

ne—news programs

t—transcriptions

sa—spot announcements

ta—transcription announcements

WHO, Des Moines

DeKalb Agricultural Assn., DeKalb, Ill. (DeKalb corn), 156 *ne*, thru Western Adv. Agency, Racine.

Murphy Products Co., Burlington, Wis. (stock feeds), 52 *sp*, thru Wade Adv. Agency, Chicago.

Morton Salt Co., Chicago, 40 *t*, thru J. Walter Thompson Co., Chicago.

Old Ben Coal Corp., Chicago, 30 *sa*, thru J. R. Hamilton Adv. Agency, Chicago.

Peter Paul Inc., Naugautuck, Conn. (Mounds, etc.), 39 *ne*, thru Platt-Forbes, N. Y.

Garden City Publishing Co., New York (high school course), 6 *t*, thru Northwest Radio Adv. Co., Seattle.

Carey Salt Co., Hutchinson, Kan., 52 *sp*, thru McJunkin Adv. Co., Chicago.

Pennsylvania Salt Co., Scranton, Pa. (Lewis Lye), 39 *sa*, thru Sherman K. Ellis & Co., Chicago.

Gospel Broadcasting Co., Los Angeles, 52 *t*, thru R. H. Alber & Co., Los Angeles.

Lever Bros., Cambridge (Oxydol, Lipton Tea), 300 *sa*, thru Ruthrauff & Ryan, N. Y.

Pierce's Proprietaries, Buffalo (Gold Medal Discovery), 80 *t*, thru Duane Jones Co., N. Y.

Hulman & Co., Terre Haute, Ind. (Clabber Girl baking powder), 156 *sa*, thru Follyea Adv Agency, Terre Haute.

KQW, San Francisco

Richmond Shipyards, Richmond, Cal. (employment), weekly *sp*, direct.

Procter & Gamble Co., Cincinnati (Ivory soap), 2 *sa* weekly, thru Compton Adv., N. Y.

Larus Bros. & Co., Richmond (Domino cigarettes), 2 *ta* weekly, thru Warwick & Legler, N. Y.

Norwich Pharmacal Co., Norwich, N. Y. (Pepto-Bismol), 3 *ta* weekly, thru Lawrence C. Gumbinner, N. Y.

Langendorf United Bakeries, San Francisco (Langendorf bread), 5 *sa* weekly, thru Ruthrauff & Ryan, San Francisco.

Langendorf United Bakeries, San Francisco (Holsum & American Meal bread), 5 *sp* weekly, thru Erwin, Wasey & Co., San Francisco.

Procter & Gamble Co., Cincinnati (Duz), 2 *sa* weekly, thru Compton Adv. Agency, N. Y.

WEAF, New York

S. & W. Fine Foods, San Francisco (orange marmalade, apple juice, etc.), 5 *sa* weekly, 52 weeks, thru S. C. Croot Inc., N. Y.

National Biscuit Co., New York (Shredded Wheat), 75 *ta*, thru Federal Adv. Agency, N. Y.

New York Telephone Co., New York (institutional), 65 *sa*, thru BBDO, N. Y.

Macfadden Publications, New York (*True Story Magazine*), 4 *sa* 4 days, thru Raymond Spector Co., N. Y.

Horn & Hardart Baking Co., Philadelphia (automats), weekly *sp*, 52 weeks, thru The Clements Co., Philadelphia.

KPAS, Pasadena, Cal.

Inter-Ocean Insurance Co., Los Angeles, 6 *sp* weekly, thru Earl R. Culp Agency, Los Angeles.

Simon & Schuster, New York (One World), 5 *sa* weekly, thru Northwest Radio Adv. Co., Seattle.

William H. Wise & Co. Inc., New York (Modern Home Physician), 3 *sp* weekly, thru Huber Hoge & Sons, N. Y.

WABC, New York

Savings Banks of New York State, New York (bank services), 6 *sa* weekly, thru Ruthrauff & Ryan, N. Y.

Gordon Baking Co., Detroit (Silver Cup bread), 6 *sa* weekly, thru C. L. Miller Co., N. Y.

WOV, New York

Barney's Clothes, New York (men's clothes), 39 *ne*, thru Emil Mogul Co., N. Y.

Roxy Theatre, New York, 23 *sa*, thru Kayton-Spiero Co., N. Y.

Curtis Publishing Co. Philadelphia (*Saturday Evening Post*), 1248 *sp*, thru Macfarland, Aveyard Co., N. Y.

Macfadden Publications, New York (*True Story Magazine*), 5 *t*, thru Raymond Spector Co., N. Y.

Charm Kurl, St. Paul (permanent wave kit), 18 *sp*, thru Guenther-Bradford Co., Chicago.

National Birth Certificate, Chicago, 32 *sp*, thru United Adv., Chicago.

General Baking Co., New York (Bond Bread), 1248 *sa*, thru BBDO, N. Y.

Miller & Co., Chicago (telescopes), 13 *sp*, thru United Adv., Chicago.

WJZ, New York

Mennen Co., Newark, N. J. (talcum, shave products), 6 *ta* weekly, 30 weeks, thru Russel M. Seeds Co., Chicago.

United Drug Co., Boston (Rexall one-cent sale), 14 *ta*, 1 week, thru Street & Finney, N. Y.

Beechnut Packing Co., Canajoharie, N. Y. (gum), 2 *sa* weekly, 13 weeks, thru Newell-Emmett Co., N. Y.

N. Y. Telephone Co., New York, 5 *sa* weekly, 13 weeks, thru BBDO, N. Y.

Lever Bros., Cambridge (Lifebuoy soap), 5 *ta* weekly, 6 weeks, thru Ruthrauff & Ryan, N. Y.

WLIB, Brooklyn

Lane Bryant, New York (women's apparel), 7 *sp* weekly, 13 weeks, thru Cramer-Tobias-Meyer, N. Y.

Henry George School of Social Science, New York (free courses), 7 *sa* weekly, 13 weeks, direct.

Twentieth Centry Fox Film Corp., New York (Roxy theatre), *sa*, *sp*, thru Kayton-Spiero, N. Y.

WQXR, New York

General Foods Corp., New York (Maxwell House coffee), 6 *sp* weekly, 52 weeks, thru Benton & Bowles, N. Y.

Charms Candy Co., Bloomfield, N. J. (Tasty Yeast), *ta*, 13 weeks, thru C. L. Miller Co., N. Y.

WQXR, New York

General Foods Corp., N. Y. (Post-Tens), 7 *ne* weekly, 52 weeks, thru Benton & Bowles, N. Y.

CFCH, North Bay, Ont.

Household Finance Corp., Toronto (small loans), 52 *ta*, thru BBDO, Chicago.

KHJ, Hollywood

Interstate Bakeries Corp., Los Angeles, 2 *sa* weekly, 13 weeks, thru Dan B. Miner Co., Los Angeles.

Joseph Dixon Crucible Co., Jersey City, N. J. (pencils), 2 *sp* weekly, 13 weeks, thru Federal Adv. Agency, N. Y.

Kerr Glass Mfg. Corp., Los Angeles (Mason jars), 2 *sp* weekly, 13 weeks, thru Raymond R. Morgan Co., Hollywood.

Sparkletts Drinking Water Co., Los Angeles, 3 *sp* weekly, 13 weeks, thru Raymond R. Morgon Co., Hollywood.

Douglas Aircraft Co., Santa Monica, Cal. (employment), 3 *sa* weekly, 13 weeks, thru Essig Co., Los Angeles.

Independent Druggists of Calif., San Francisco (pharmaceutical), 3 *t* weekly, 52 weeks, thru W. C. Jeffries Co., Los Angeles.

Durkee Famous Foods, Berkeley, Cal. (dressing), 2 *ta* weekly 52 weeks, thru Emil Reinhardt Adv., Oakland.

KDB, Santa Barbara

Rainier Brewing Co., San Francisco, *sa*, 1 year, thru Buchanan & Co., Los Angeles.

Lockheed & Vega Aircraft Corp., Burbank, Cal. (Vega Aircraft), 30 *sa*, direct.

United Drug Co., New York (Rexall Sale), *sa*, thru Spot Broadcasting, N. Y.

Pacific Aeronautics Co., Santa Barbara, three *sa* daily, 1 sp weekly, direct.

Nehi Beverages Corp., Columbus, Ga., *sa*, 26 weeks (Par-T-Pak), thru BBDO, Los Angeles

WHN, New York

Penn Fifth Ave., New York (furs), *sa*, 13 weeks, thru Lester Harrison Assoc., N. Y.

Lutheran Laymen's League, St. Louis, weekly *t*, 52 weeks, thru Gotham Adv., N. Y.

Jacob Ruppert Brewery, Brooklyn, *sa*, 2 weeks, thru Ruthrauff & Ryan, N. Y.

Esquire Inc., Chicago (*Coronet*), *sa*, 1 week, thru Schwimmer & Scott, Chicago.

Rodale Press, Emmaus, Pa. (*Organic Gardening Book*), *sa*, 1 week, thru Huber Hoge & Sons, N. Y.

WWVA, Wheeling, W. Va.

Studebaker Corp., South Bend, Ind. (institutional), 4 *ne* weekly, thru Roche, Williams & Cunnyngham, Chicago.

CHEX, Peterborough, Ont.

Dr. A. W. Chase Medicine Co., Oakville, Ont., 75 *sa*, thru Ardiel Adv. Agency, Oakville, Ont.

THREE DRUG ITEMS AMONG FTC ORDERS

CEASE AND DESIST orders were issued last week by the Federal Trade Commission covering alleged misrepresentations in advertising over the radio and in other media by three firms manufacturing medicinal products.

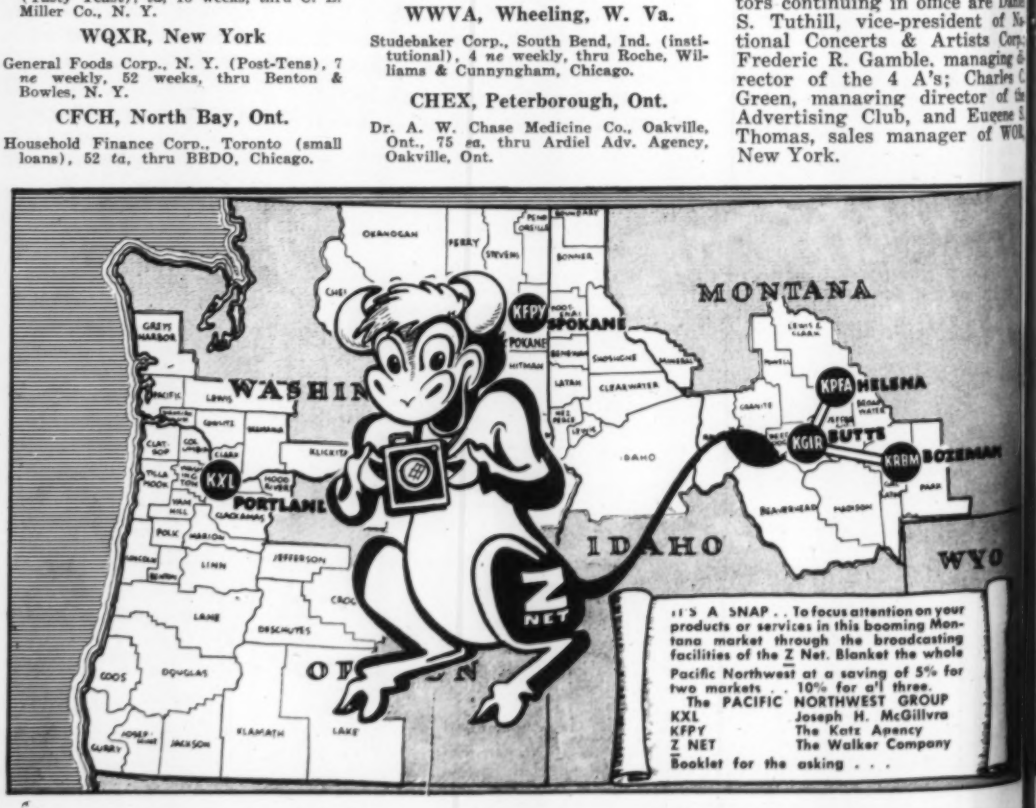
Bristol-Myers Co., Hillside, N. J., is ordered to cease false advertising concerning its laxative Sal Hepatica, which claims therapeutic and curative properties as a treatment for certain ailments such as rheumatism, indigestion, etc.

For the preparation Nash's C & L Malaria Chill Tonic and Laxative, formerly known as Nash's C & L Tonic, made and distributed by William G. Nash Sr., William G. Nash Jr., and Florence Nash Cox, trading as Nash Bros. Drug Co., Jonesboro, Ark., the Commission ordered cessation of advertising that the preparation is an effective treatment for malaria, liver trouble and other ills and that it is not habit forming and is endorsed by phvsicians and nurses.

McNeil Drug Co. and Associated Adv. Agency, both of Jacksonville, Fla., have been ordered to cease representing that the medicinal preparation variously known as Magic Remedy, McNeil's Magic Remedy and McNeil's Magic Remedy Brand, has any therapeutic value in alleviating any pain associated with rheumatism, glandular swellings or similar conditions in excess of that afforded by a mild analgesic.

Ad Club Re-elects

ALL OFFICERS and directors of the Advertising Club of New York were re-elected to office for the coming year at the annual meeting of the Club in New York May 11. Among the group of 11 directors continuing in office are Daniel S. Tuthill, vice-president of National Concerts & Artists Corp.; Frederic R. Gamble, managing director of the 4 A's; Charles C. Green, managing director of the Advertising Club, and Eugene S. Thomas, sales manager of WOR, New York.


MONTANA
KFPY
SPOKANE
KPFA
HELENA
KGIR
BUTTE
KRBM
BOZEMAN
KXL
PORTLAND
IDAHO
WYO
Z NET
IT'S A SNAP . . To focus attention on your products or services in this booming Montana market through the broadcasting facilities of the Z Net. Blanket the whole Pacific Northwest at a saving of 5% for two markets . . 10% for all three.
The PACIFIC NORTHWEST GROUP
KXL Joseph H. McGillvra
KFPY The Katz Agency
Z NET The Walker Company
Booklet for the asking . . .

Radio Advertisers

FORD INSTRUMENT Co., Long Island City, N. Y., purchased a quarter-hour on WLIB, Brooklyn, May 14, to broadcast the presentation of a three-starred Army-Navy E pennant and a Treasury Dept. Minute Man flag by Government officials. Milton Cross, NBC announcer, was m.c. Business was placed direct.

JOSEPH TETLEY & Co., New York, is sponsoring *The Folk Singer* on WEVD, New York, Monday and Wednesday, 8:30-8:45 p.m. for Jiffy Soup, a dehydrated product. Sponsorship started April 5, and was placed thru Joseph Jacobs Jewish market organization, New York. Firm also promotes the soup on the BLUE.

WESTERN & SOUTHERN Life Insurance Co. will sponsor a series of programs by the Cincinnati Symphony Trio on WKRC, Cincinnati, to sustain interest in the Cincinnati Symphony through the summer months. Series begins May 18, features guest artists.

H & R POGUE Co., Cincinnati department store, in first radio usage in two years, sponsors "War Correspondent," Ziv series, on WKRC. Merchandising and promotion will back it up.

RALPH GLEASON, formerly trade news editor of CBS, who recently joined the Overseas Division of the Office of War Information, is to open an OWI branch in Lisbon, Portugal.

ALL-STATE Insurance Co., Chicago, insurance subsidiary of Sears, Roebuck & Co., Chicago, has purchased a six-weekly early morning, five-minute newscast on WMAQ, Chicago. Agency is Ruthrauff & Ryan, Chicago.

CALIFORNIA CHRISTIAN Endeavor Union, Los Angeles (religious) recently started *Christian Endeavor Hour*, weekly on KROW, Oakland, Cal., placed direct.

PLOUGH, INC. (St. Joseph Aspirin) is sponsoring Fulton Lewis, Jr., Washington correspondent, Monday through Friday, 7-7:15 p.m., on WOR, New York. Contract, placed through Lake-Spiro-Shurman, Memphis, was effective May 3 and runs 52 weeks.

McKESSON & ROBBINS, Bridgeport, Conn. (Bexel) are sponsoring the Monday, Wednesday, Friday editions of Charles Woods' AP news periods on WOR, New York, 2:30-2:45 p.m. Contract, effective April 26 for 52 weeks, was handled through J. D. Tarcher & Co., New York. Firm, also for Bexel, sponsors Arthur Van Horn's 11 a.m. *Transradio News* Tuesday, Thursday and Saturday.

N. Y. Bell Spots

AS PART of the Bell Telephone Co.'s projected radio campaign to urge limited use of long distance telephoning [BROADCASTING, May 3], the New York Telephone Co. started a 13-week campaign in New York State, the week of May 3, using four stations in each of three major markets—New York, Buffalo and Syracuse. Company is using about five live announcements weekly on WJZ WEAF WOR WABC WGR WKBW WBEN WEBR WSYR WFBL WOLF WAGE. Agency is BBDO, New York.

NBC's Radio-Recording Division has produced a master recording containing 10 35-word announcements, for George H. Newstedt Co., Cincinnati jewelers.

WENY, Elmira, N. Y., has sold the games of the Elmira Pioneers to Gorton Coy, women's specialty shop; J. P. & M. Sullivan, furniture store, and McKinnon General Tire Co., tires and recapping. Mr. McKinnon is president of the ball club. Bill Pope will do recreations of the games when the team is away, as well as broadcast from the home park.

PITTSBURGH BREWING Co. (Iron City Beer) is now sponsoring Walter Compton's four o'clock commentary on WCAE, Pittsburgh.

KELITE PRODUCTS Inc., Los Angeles (Kenu cleanser), on May 7 started live origination of its thrice-weekly five-minute program, *Name in the News*, on the Arizona network (KOY KTUC KSUN). Featured is Blythe Miller with local talent. Transcribed version had formerly been used on KOY. Agency is Little & Co., Los Angeles.

GENERAL FOODS Corp., N. Y. (Grape Nuts and Grape Nuts Flakes), is sponsoring broadcasts of home games of the Chicago White Sox and Cubs on WCFL, Chicago. Season started April 21. Hal Totten, who has been handling the games since 1924, will again announce the broadcasts. Agency is Young and Rubicam, N. Y.

BARKER BROS. Corp., Los Angeles (home furnishings), in a six-day campaign which started May 2, sponsored 15 announcements calling attention to pre-fabricated home now on exhibit in that store, on five Los Angeles area stations, KNX KFI KECA KHJ KMPC. Agency is Roderick Mays Adv., that city.

SUNNYVALE PACKING Co., San Francisco (Rancho soups), has started participations on KQW, San Francisco. Agency is Foote, Cone & Belding, San Francisco.

NORTH CAROLINA is the SOUTH'S No. 1 AGRICULTURAL STATE

CASH INCOME and GOV'T PAYMENTS
(IN MILLIONS)

Source: — Department of Agriculture, 1940

WPTF with 50,000 Watts in RALEIGH is NORTH CAROLINA'S No. 1 SALESMAN

NBC — 680 K.C.

FREE & PETERS, INC. National Representatives

CALIFORNIA COVERAGE

JAMES ABBE OBSERVES

had had only seven broadcasts over KFBK when a survey was conducted. Due to KFBK's strong merchandising and publicity activities, James Abbe outrated both Sam Hayes and Nelson Pringle at 7:45 A. M.

JAMES ABBE (KFBK)------33.6%
COMMENTATOR B--------24.8%
COMMENTATOR C--------23.2%
ALL OTHERS----------18.4%

Contact any Paul H. Raymer Company representative for spot adjacency availabilities and prices.

THE McCLATCHY GROUP

THE Business OF BROADCASTING

STATION ACCOUNTS

sp—studio programs

ne—news programs

t—transcriptions

sa—spot announcements

ta—transcription announcements

WHO, Des Moines

DeKalb Agricultural Assn., DeKalb, Ill. (DeKalb corn), 156 *ne*, thru Western Adv. Agency, Racine.

Murphy Products Co., Burlington, Wis. (stock feeds), 52 *sp*, thru Wade Adv. Agency, Chicago.

Morton Salt Co., Chicago, 40 *t*, thru J. Walter Thompson Co., Chicago.

Old Ben Coal Corp., Chicago, 30 *sa*, thru J. R. Hamilton Adv. Agency, Chicago.

Peter Paul Inc., Naugautuck, Conn. (Mounds, etc.), 39 *ne*, thru Platt-Forbes, N. Y.

Garden City Publishing Co., New York (high school course), 6 *t*, thru Northwest Radio Adv. Co., Seattle.

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Pennsylvania Salt Co., Scranton, Pa. (Lewis Lye), 39 *sa*, thru Sherman K. Ellis & Co., Chicago.

Gospel Broadcasting Co., Los Angeles, 52 *t*, thru R. H. Alber & Co., Los Angeles.

Lever Bros., Cambridge (Oxydol, Lipton Tea), 300 *sa*, thru Ruthrauff & Ryan, N. Y.

Pierce's Proprietaries, Buffalo (Gold Medal Discovery), 80 *t*, thru Duane Jones Co., N. Y.

Hulman & Co., Terre Haute, Ind. (Clabber Girl baking powder), 156 *sa*, thru Follyea Adv Agency, Terre Haute.

KQW, San Francisco

Richmond Shipyards, Richmond, Cal. (employment), weekly *sp*, direct.

Procter & Gamble Co., Cincinnati (Ivory soap), 2 *sa* weekly, thru Compton Adv., N. Y.

Larus Bros. & Co., Richmond (Domino cigarettes), 2 *ta* weekly, thru Warwick & Legler, N. Y.

Norwich Pharmacal Co., Norwich, N. Y. (Pepto-Bismol), 3 *ta* weekly, thru Lawrence C. Gumbinner, N. Y.

Langendorf United Bakeries, San Francisco (Langendorf bread), 5 *sa* weekly, thru Ruthrauff & Ryan, San Francisco.

Langendorf United Bakeries, San Francisco (Holsum & American Meal bread), 5 *sp* weekly, thru Erwin, Wasey & Co., San Francisco.

Procter & Gamble Co., Cincinnati (Duz), 2 *sa* weekly, thru Compton Adv. Agency, N. Y.

WEAF, New York

S. & W. Fine Foods, San Francisco (orange marmalade, apple juice, etc.), 5 *sa* weekly, 52 weeks, thru S. C. Croot Inc., N. Y.

National Biscuit Co., New York (Shredded Wheat), 75 *ta*, thru Federal Adv. Agency, N. Y.

New York Telephone Co., New York (institutional), 65 *sa*, thru BBDO, N. Y.

Macfadden Publications, New York (*True Story Magazine*), 4 *sa* 4 days, thru Raymond Spector Co., N. Y.

Horn & Hardart Baking Co., Philadelphia (automats), weekly *sp*, 52 weeks, thru The Clements Co., Philadelphia.

KPAS, Pasadena, Cal.

Inter-Ocean Insurance Co., Los Angeles, 6 *sp* weekly, thru Earl R. Culp Agency, Los Angeles.

Simon & Schuster, New York (One World), 5 *sa* weekly, thru Northwest Radio Adv. Co., Seattle.

William H. Wise & Co. Inc., New York (Modern Home Physician), 3 *sp* weekly, thru Huber Hoge & Sons, N. Y.

WABC, New York

Savings Banks of New York State, New York (bank services), 6 *sa* weekly, thru Ruthrauff & Ryan, N. Y.

Gordon Baking Co., Detroit (Silver Cup bread), 6 *sa* weekly, thru C. L. Miller Co., N. Y.

WOV, New York

Barney's Clothes, New York (men's clothes), 39 *ne*, thru Emil Mogul Co., N. Y.

Roxy Theatre, New York, 28 *sa*, thru Kayton-Spiero Co., N. Y.

Curtis Publishing Co. Philadelphia (*Saturday Evening Post*), 1248 *sp*, thru Macfarland, Aveyard Co., N. Y.

Macfadden Publications, New York (*True Story Magazine*), 5 *t*, thru Raymond Spector Co., N. Y.

Charm Kurl, St. Paul (permanent wave kit), 18 *sp*, thru Guenther-Bradford Co., Chicago.

National Birth Certificate, Chicago, 32 *sp*, thru United Adv., Chicago.

General Baking Co., New York (Bond Bread), 1248 *sa*, thru BBDO, N. Y.

Miller & Co., Chicago (telescopes), 13 *sp*, thru United Adv., Chicago.

WJZ, New York

Mennen Co., Newark, N. J. (talcum, shave products), 6 *ta* weekly, 30 weeks, thru Russel M. Seeds Co., Chicago.

United Drug Co., Boston (Rexall one-cent sale), 14 *ta*, 1 week, thru Street & Finney, N. Y.

Beechnut Packing Co., Canajoharie, N. Y. (gum), 2 *sa* weekly, 13 weeks, thru Newell-Emmett Co., N. Y.

N. Y. Telephone Co., New York, 5 *sa* weekly, 13 weeks, thru BBDO, N. Y.

Lever Bros., Cambridge (Lifebuoy soap), 5 *ta* weekly, 6 weeks, thru Ruthrauff & Ryan, N. Y.

WLIB, Brooklyn

Lane Bryant, New York (women's apparel), 7 *sp* weekly, 13 weeks, thru Cramer-Tobias-Meyer, N. Y.

Henry George School of Social Science, New York (free courses), 7 *sa* weekly, 13 weeks, direct.

Twentieth Centry Fox Film Corp., New York (Roxy theatre), *sa*, *sp*, thru Kayton-Spiero, N. Y.

WQXR, New York

General Foods Corp., New York (Maxwell House coffee), 6 *sp* weekly, 52 weeks, thru Benton & Bowles, N. Y.

Charms Candy Co., Bloomfield, N. J. (Tasty Yeast), *ta*, 13 weeks, thru C. L. Miller Co., N. Y.

WQXR, New York

General Foods Corp., N. Y. (Post-Tens), 7 *ne* weekly, 52 weeks, thru Benton & Bowles, N. Y.

CFCH, North Bay, Ont.

Household Finance Corp., Toronto (small loans), 52 *ta*, thru BBDO, Chicago.

KHJ, Hollywood

Interstate Bakeries Corp., Los Angeles, 2 *sa* weekly, 13 weeks, thru Dan B. Miner Co., Los Angeles.

Joseph Dixon Crucible Co., Jersey City, N. J. (pencils), 2 *sp* weekly, 13 weeks, thru Federal Adv. Agency, N. Y.

Kerr Glass Mfg. Corp., Los Angeles (Mason jars), 2 *sp* weekly, 13 weeks, thru Raymond R. Morgan Co., Hollywood.

Sparkletts Drinking Water Co., Los Angeles, 3 *sp* weekly, 13 weeks, thru Raymond R. Morgon Co., Hollywood.

Douglas Aircraft Co., Santa Monica, Cal. (employment), 3 *sa* weekly, 13 weeks, thru Essig Co., Los Angeles.

Independent Druggists of Calif., San Francisco (pharmaceutical), 3 *t* weekly, 52 weeks, thru W. C. Jeffries Co., Los Angeles.

Durkee Famous Foods, Berkeley, Cal. (dressing), 2 *ta* weekly. 52 weeks, thru Emil Reinhardt Adv., Oakland.

KDB, Santa Barbara

Rainier Brewing Co., San Francisco, *sa*, 1 year, thru Buchanan & Co., Los Angeles.

Lockheed Vega Aircraft Corp., Burbank, Cal. (Vega Aircraft), 30 *sa*, direct.

United Drug Co., New York (Rexall Sale), *sa*, thru Spot Broadcasting, N. Y.

Pacific Aeronautics Co., Santa Barbara, three *sa* daily, 1 sp weekly, direct.

Nehi Beverages Corp., Columbus, Ga., *sa*, 26 weeks (Par-T-Pak), thru BBDO, Los Angeles

WHN, New York

Penn Fifth Ave., New York (furs), *sa*, 13 weeks, thru Lester Harrison Assoc., N. Y.

Lutheran Laymen's League, St. Louis, weekly *t*, 52 weeks, thru Gotham Adv., N. Y.

Jacob Ruppert Brewery, Brooklyn, *sa*, 2 weeks, thru Ruthrauff & Ryan, N. Y.

Esquire Inc., Chicago (*Coronet*), *sa*, 1 week, thru Schwimmer & Scott, Chicago.

Rodale Press, Emmaus, Pa. (*Organic Gardening Book*), *sa*, 1 week, thru Huber Hoge & Sons, N. Y.

WWVA, Wheeling, W. Va.

Studebaker Corp., South Bend, Ind. (institutional), 4 *ne* weekly, thru Roche, Williams & Cunnyngham, Chicago.

CHEX, Peterborough, Ont.

Dr. A. W. Chase Medicine Co., Oakville, Ont., 75 *sa*, thru Ardiel Adv. Agency, Oakville, Ont.

THREE DRUG ITEMS AMONG FTC ORDERS

CEASE AND DESIST orders were issued last week by the Federal Trade Commission covering alleged misrepresentations in advertising over the radio and in other media by three firms manufacturing medicinal products.

Bristol-Myers Co., Hillside, N. J., is ordered to cease false advertising concerning its laxative Sal Hepatica, which claims therapeutic and curative properties as a treatment for certain ailments such as rheumatism, indigestion, etc.

For the preparation Nash's C & L Malaria Chill Tonic and Laxative, formerly known as Nash's C & L Tonic, made and distributed by William G. Nash Sr., William G. Nash Jr., and Florence Nash Cox, trading as Nash Bros. Drug Co., Jonesboro, Ark., the Commission ordered cessation of advertising that the preparation is an effective treatment for malaria, liver trouble and other ills and that it is not habit forming and is endorsed by physicians and nurses.

McNeil Drug Co. and Associated Adv. Agency, both of Jacksonville, Fla., have been ordered to cease representing that the medicinal preparation variously known as Magic Remedy, McNeil's Magic Remedy and McNeil's Magic Remedy Brand, has any therapeutic value in alleviating any pain associated with rheumatism, glandular swellings or similar conditions in excess of that afforded by a mild analgesic.

Ad Club Re-elects

ALL OFFICERS and directors of the Advertising Club of New York were re-elected to office for the coming year at the annual meeting of the Club in New York May 11. Among the group of 11 directors continuing in office are Daniel S. Tuthill, vice-president of National Concerts & Artists Corp., Frederic R. Gamble, managing director of the 4 A's; Charles C. Green, managing director of the Advertising Club, and Eugene L. Thomas, sales manager of WOR, New York.

MONTANA
SPOKANE
KFPY
KPFA HELENA
KGIR BUTTE
KRBM BOZEMAN
PORTLAND
KXL
IDAHO
Z NET
IT'S A SNAP . . To focus attention on your products or services in this booming Montana market through the broadcasting facilities of the Z Net. Blanket the whole Pacific Northwest at a saving of 5% for two markets . . 10% for all three.
The PACIFIC NORTHWEST GROUP
KXL Joseph H. McGillvra
KFPY The Katz Agency
Z NET The Walker Company
Booklet for the asking . . .

Radio Advertisers

FORD INSTRUMENT Co., Long Island City, N. Y., purchased a quarter-hour on WLIB, Brooklyn, May 14, to broadcast the presentation of a three-starred Army-Navy E pennant and a Treasury Dept. Minute Man flag by Government officials. Milton Cross, NBC announcer, was m.c. Business was placed direct.

JOSEPH TETLEY & Co., New York, is sponsoring *The Folk Singer* on WEVD, New York, Monday and Wednesday, 8:30-8:45 p.m. for Jiffy Soup, a dehydrated product. Sponsorship started April 5, and was placed thru Joseph Jacobs Jewish market organization, New York. Firm also promotes the soup on the BLUE.

WESTERN & SOUTHERN Life Insurance Co. will sponsor a series of programs by the Cincinnati Symphony Trio on WKRC, Cincinnati, to sustain interest in the Cincinnati Symphony through the summer months. Series begins May 18, features guest artists.

H & R POGUE Co., Cincinnati department store, in first radio usage in two years, sponsors "War Correspondent," Ziv series, on WKRC. Merchandising and promotion will back it up.

RALPH GLEASON, formerly trade news editor of CBS, who recently joined the Overseas Division of the Office of War Information, is to open an OWI branch in Lisbon, Portugal.

ALL-STATE Insurance Co., Chicago, insurance subsidiary of Sears, Roebuck & Co., Chicago, has purchased a six-weekly early morning, five-minute newscast on WMAQ, Chicago. Agency is Ruthrauff & Ryan, Chicago.

CALIFORNIA CHRISTIAN Endeavor Union, Los Angeles (religious) recently started *Christian Endeavor Hour*, weekly on KROW, Oakland, Cal., placed direct.

PLOUGH, INC. (St. Joseph Aspirin) is sponsoring Fulton Lewis, Jr., Washington correspondent, Monday through Friday, 7-7:15 p.m., on WOR, New York. Contract, placed through Lake-Spiro-Shurman, Memphis, was effective May 3 and runs 52 weeks.

McKESSON & ROBBINS, Bridgeport, Conn. (Bexel) are sponsoring the Monday, Wednesday, Friday editions of Charles Woods' AP news periods on WOR, New York, 2:30-2:45 p.m. Contract, effective April 26 for 52 weeks, was handled through J. D. Tarcher & Co., New York. Firm, also for Bexel, sponsors Arthur Van Horn's 11 a.m. *Transradio News* Tuesday, Thursday and Saturday.

N. Y. Bell Spots

AS PART of the Bell Telephone Co.'s projected radio campaign to urge limited use of long distance telephoning [BROADCASTING, May 3], the New York Telephone Co. started a 13-week campaign in New York State, the week of May 3, using four stations in each of three major markets—New York, Buffalo and Syracuse. Company is using about five live announcements weekly on WJZ WEAF WOR WABC WGR WKBW WBEN WEBR WSYR WFBL WOLF WAGE. Agency is BBDO, New York.

NBC's Radio-Recording Division has produced a master recording containing 10 35-word announcements, for George H. Newstedt Co., Cincinnati jewelers.

WENY, Elmira, N. Y., has sold the games of the Elmira Pioneers to Gorton Coy, women's specialty shop; J. P. & M. Sullivan, furniture store, and McKinnon General Tire Co., tires and recapping. Mr. McKinnon is president of the ball club. Bill Pope will do recreations of the games when the team is away, as well as broadcast from the home park.

PITTSBURGH BREWING Co. (Iron City Beer) is now sponsoring Walter Compton's four o'clock commentary on WCAE, Pittsburgh.

KELITE PRODUCTS Inc., Los Angeles (Kenu cleanser), on May 7 started live origination of its thrice-weekly five-minute program, *Name in the News*, on the Arizona network (KOY KTUC KSUN). Featured is Blythe Miller with local talent. Transcribed version had formerly been used on KOY. Agency is Little & Co., Los Angeles.

GENERAL FOODS Corp., N. Y. (Grape Nuts and Grape Nuts Flakes), is sponsoring broadcasts of home games of the Chicago White Sox and Cubs on WCFL, Chicago. Season started April 21. Hal Totten, who has been handling the games since 1924, will again announce the broadcasts. Agency is Young and Rubicam, N. Y.

BARKER BROS. Corp., Los Angeles (home furnishings), in a six-day campaign which started May 2, sponsored 15 announcements calling attention to pre-fabricated home now on exhibit in that store, on five Los Angeles area stations, KNX KFI KECA KHJ KMPC. Agency is Roderick Mays Adv., that city.

SUNNYVALE PACKING Co., San Francisco (Rancho soups), has started participations on KQW, San Francisco. Agency is Foote, Cone & Belding, San Francisco.

NORTH CAROLINA is the SOUTH'S No. 1 AGRICULTURAL STATE

CASH INCOME and GOV'T PAYMENTS
(IN MILLIONS)

NORTH CAROLINA $221.8

AVERAGE OF NINE OTHER SOUTHERN STATES $133.3

Source: — Department of Agriculture, 1940

WPTF with 50,000 Watts in RALEIGH is NORTH CAROLINA'S No. 1 SALESMAN

NBC — 680 K.C.

CALIFORNIA COVERAGE

JAMES ABBE OBSERVES

had had only seven broadcasts over KFBK when a survey was conducted. Due to KFBK's strong merchandising and publicity activities, James Abbe outrated both Sam Hayes and Nelson Pringle at 7:45 A. M.

JAMES ABBE (KFBK)------33.6%
COMMENTATOR B--------24.8%
COMMENTATOR C--------23.2%
ALL OTHERS----------18.4%

Contact any Paul H. Raymer Company representative for spot adjacency availabilities and prices.

KOH RENO KFBK SACRAMENTO KWG STOCKTON KERN BAKERSFIELD KRDO

THE McCLATCHY GROUP

FREE & PETERS, INC. National Representatives

WSJS
Winston-Salem
N. C.

One of the 35 SELECT stations broadcasting the

ESSO REPORTER

★

Standard Oil Company of New Jersey, and its advertising agency, Marchalk and Pratt, have paid us a high compliment. They select only the TOP stations for this famous feature!

●

Representatives
Headley-Reed Co.

NBC
Station For
Winston-Salem
and
Greensboro
and
High Point

Kansans at Home, Listen More, With Rationing of Gasoline

Dr. Whan Completes Supplementary Farm, Village Audience Survey Including Battery Sets

EFFECT of gasoline rationing on Kansas rural buying habits and radio listening has been studied by Dr. F. L. Whan, U. of Wichita, Wichita, Kan., as a supplemental study to the 1943 Kansas Radio Audience Survey. Copies of the 36-page report have been released by WIBW, Topeka, and Ben Ludy, manager.

Gas rationing in itself made the usual Whan personal interview method, used in earlier studies of the series, impossible. Instead, school children carried questionnaires home, parents filled them in, and the children returned them to school heads. One of every 109 farm families in the state was covered; one of every 102 "village" families, or community of 2,500 persons or less.

More or Less Time at Home

Of particular interest to the radio industry was Question 8 of the study: As compared with last year, do you and your family spend less time or more time (since gasoline rationing) in your home? Slightly more than 62% of the farm families reported spending more time at home; 54% of the village families. Only 4.6% and 4.1% of the farm and village families respectively reported less time. Remainder said "same time as before."

Question 9 followed with: Do you and your family spend more or less time listening to the radio, than you did a year ago? Although the increases reported were strikingly large they did not quite equal the increased time spent in the home. A fraction more than 47% of farm families said they listened more, 11.5% less, 41.4% the same; village families—46.3% more, 6% less, 47.7% the same.

Relationship of battery sets to increased or decreased listening in rural areas, and the possible effect of failure to get batteries, is reflected in another question: How does your set get its power?

Of the 1,029 set-owning farmers reporting, 891 said sets were battery-powered. Of these, 154 were served by family-owned generators. Of the 1,060 set-owning village families, 42 reported battery sets, 5 having generators. Of the 933 battery set families, 15 or 1.6% wrote in the margin of the questionnaires that they were having trouble getting batteries. (Three said they would listen more if they could get the batteries.)

By types of power for sets, 47.4% of the high-line families said they listen more than a year ago; 4.9% less, and 46.2% the same. Battery powered set owners reported: 44.3% more listening, 14.1% less, and 40.4% the same.

With 4.9% of the high-line families reporting less listening it is not reasonable to suppose that all of the 14.1% battery set families reporting less listening are having trouble with batteries.

More Money to Spend

Other questions brought out that Kansas farm families have far more money to spend than last year. They reported as follows: 32.8% have about the same as last year; 40.0% have up to half again more; and almost 20% report 1½ to twice more.

Figures for village families were comparable showing only 6.6% receiving less income than last year.

Another question asked: When war ends or materials are again available, what household articles or farm equipment do you plan to buy as soon as possible—either to replace things worn out or to buy for the first time?

Answers indicate that 20.7% of the farm families will buy receiving sets; 25.3% of the village families. Higher percentages of families will buy, according to the answers, autos, farm equipment such as trucks, tractors, etc.; furniture, refrigerators; watches or clocks. More than 21% will buy washing machines; 10% guns, and 8% furnaces.

Standards of living do not affect the decision to buy receiving sets when available again. But those in a high standard of living will buy more tractors, autos, watches or clocks and furnaces.

On the other hand the answers proved that the low standard families will buy many more washing machines, furniture and refrigerators than in the high standard bracket.

The report shows that the Kansan is still active despite gas rationing. Question 11: Before gasoline rationing did you or your family do a part of your family buying in any large town (larger than one given as your post office). Answer: 82.4% farm families, 71.4% village families, said yes. Same question, covering gas rationing period: 68.8% farm families said yes, 57.3% village families.

AGENCY Appointments

COMFOOT PRODUCTS, Chicago (foot balm), to Malcolm-Howard Adv. Agency, Chicago. Radio test campaign planned, but no details yet released.

S. A. SCHONBRUNN & Co., New York, to Ruthrauff & Ryan, New York, for Savarin coffee. Account has been using spot radio in the East. Future media plans not set.

GROCERY STORE PRODUCTS Co., New York, to Duane Jones Co., New York, for Kitchen Bouquet only. Radio will probably be used.

NATIONAL BATTERY Co., Depew N. Y. (institutional), on Sat, May 29, 4:30-5 p.m. sponsors one-time broadcast of Army-Navy E award ceremonies on 155 BLUE stations. Agency: Bronson West Adv. Co., St. Paul.

B. T. BABBITT, Inc, New York (Aunt Polly's Soup Mix, Bab-O), on May 31 starts *Lora Lawton* on 37 NBC stations, Mon. thru Fri. 10-10:15 a.m. Agency: Duane Jones Co., N. Y.

CURTIS PUBLISHING Co., Philadelphia (*Satevepost*, institutional), on June 3, 10:30-11:30 p.m. only, sponsors one-time broadcast of New York opening of picture exhibit on 155 BLUE stations (recorded rpt, 12 midnight). Agency: MacFarland, Aveyard & Co., New York.

GENERAL MILLS, Minneapolis (Cheerioats), on May 7 started *John Gunther* on 59 BLUE stations, Fri. and Sat., 10-10:15 p.m. Agency: Knox Reeves Adv., Minneapolis.

Hare Collingwood

IF THE ARABS have newspapers they probably are flagging first pages with "Collingwood Out-races Rommel!" CBS's corespondent entered Tunis with the first American troops, saw the melee, raced back to Algiers by truck and plane without sleep through the night and told his story to American listeners at the regular morning broadcast. Collingwood told the boys on the cue line that his and one other were the only soft-skinned vehicles entering Tunis—with the conquering tanks! It may be Herr Rommel, but it's Hare Collingwood.

Fred Allen Shortwaved

IN COOPERATION with the Special Service Division of the War Dept., BBC on May 16 started rebroadcasting from London to U. S. servicemen in England and North Africa a series of six transcriptions of the Fred Allen program on CBS. Commercials for Texas Co., sponsor, are deleted. BBC has transmitted similar repeats of Bob Hope and Jack Benny shows, as well as of *Command Performance*, since last fall.

in BALTIMORE
and the Central Atlantic States

Edward Petry & Co., National Representatives

Alger WTTM Manager In New Jersey Changes

REORGANIZATION of the three New Jersey stations operated by the United Broadcasting System was announced last week. Paul Alger, former general manager of WSNJ, Bridgeton, has been appointed general manager of WTTM, Trenton, succeeding A. Harry Zoog, who was also general manager of WFPG, Atlantic City. John B. Reynolds, general manager of WKWK, Wheeling, who has been acting as temporary general manager of WTTM, has returned to WKWK. Mr. Zoog remains with United Broadcasting to handle certain sales functions. Edwin E. Kohn, sales manager of WFPG, has been named general manager. Frank Wellman, head of the Frank Wellman Adv. Agency, Philadelphia, has been made sales manager of WTTM, but will also continue operation of his agency. Johnny Thompson has joined WTTM as program director.

A hearing was held last Monday in Trenton by the NLRB on a complaint of the IBEW that WTTM had engaged in unfair labor practices by signing a contract with the ACA, a CIO union. The IBEW contended that the entire technical staff constitutes an appropriate bargaining unit and should be covered in a single labor agreement. The ACA defended its contract on the ground that it was intended to be limited to a bargaining unit consisting only of technicians holding FCC first class operator licenses. A decision is expected within the next few weeks.

Celanese Rulings

RULING them "legally insufficient," New York Supreme Court Justice Kenneth O'Brien on May 10 dismissed two of the three causes of action in a minority stockholders' suit against the directors of Celanese Corp. of America. The dismissed causes dealt with royalty payments made by the company to its vice-president, Henri Dreyfus, a resident of London. Ruling did not affect the third cause of action, asking recovery of $1,000,000 which the suit alleges was improperly expended for a radio program starring Jean Tennyson, a singer and wife of Camille Dreyfus, president of the corporation [BROADCASTING, March 15, May 5].

WOODSIDE PARK, Philadelphia, is the first amusement park in the city to use radio this season. A varied schedule of spot announcements has been placed on WFIL, Philadelphia, for the summer months, representing a large increase over its schedule last year. Business was placed direct.

"When he started advertising on WFDF Flint Michigan, all his salesmen were fired with enthusiasm."

Watch Fishing Bulletins for Violation Of Weather Code, Censorship Warns

THE Office of Censorship in Washington has turned its attention to a problem arising out of information releases on fishing conditions being sent to stations by the conservation departments of several states. The releases are a compilation of news on fishing as reported by telegram from different sections of each state, then forwarded on to radio stations by fast mail for broadcast as soon as received.

The problem results from the fact that in many cases detailed weather information is included in the releases and, if used on the air, would constitute a violation of the Weather Clause of the Code of Wartime Pratices for American Broadcasters. The Office of Censorship is contacting state conservation departments as fast as it is discovered that a state is furnishing broadcasters with such a service in an effort to control this dangerous information at the source. However, the office points out that stations should edit any weather information in these releases in accordance with the provisions of the Code. The fact that it is furnished by a state agency does not constitute appropriate authority for broadcast.

Radio management is asked to report any such cases to the Office of Censorship.

Driscoll to Go Overseas

DAVE DRISCOLL, director of war services and news of WOR, New York, will go overseas soon to make on-the-scene recordings of fighting activities in the European war area for rebroadcast in this country. Mr. Driscoll will use the Soundscriber, recording and playback equipment with which he has pioneered in documentary broadcasting.

Our Error

EDITOR, BROADCASTING:

An obvious typographical error was made in BROADCASTING Magazine, issued today, stating that the RMA-FCC plan for organization of the Radio Technical Planning Board was rejected last week "by the Radio Manufacturers Association". It is obvious that the article intended to state that the RMA-FCC plan had been rejected by the Institute of Radio Engineers, and a correction in your next issue would be appreciated so that all interests may be correctly advised.

BOND GEDDES
Executive Vice-President
Radio Manufacturers Assn.
May 10, 1943

POP CONCERTS of the Boston Symphony Orchestra started on the BLUE Saturday, May 1, 8:15-9:15 p.m., continuing until mid-July. Milton J. Cross, commentator of the BLUE Metropolitan Opera Co. broadcasts, now concluded, is heard on the Boston Symphony programs. Special feature of this year's concert is a music memory quiz. Prizes are recordings.

ART MOSBY

KGVO • MISSOULA, MONT.

says . . . "SZATH-MYRI and his symphonic swing orchestra is tops in modern music. We sold 'SZATH-MYRI PRESENTS' instantly to a local bank and to our radio audience — so everyone is happy! With Lang-Worth stars and production scripts we never lack sales arguments for local accounts."

"Szath-Myri Presents" (½ hour weekly) has been sold, to date, by 162 Lang-Worth subscribers. It forms an integral part of Lang-Worth Planned Program Service.

LANG-WORTH, Inc.
420 MADISON AVENUE • NEW YORK, N. Y.

AMERICAS NETWORK OBSERVES BIRTHDAY

IN OBSERVANCE of the first year of full-scale operations, the CBS Network of the Americas will present a special birthday broadcast May 19 on CBS, 11:15 p.m. to midnight (EWT), with musical greetings from New York, Buenos Aires, Santiago and Havana. A special musical program will be shortwaved to Latin America from 10:30-11:15 p.m. the same evening with a recapitulation in Spanish of the network's program highlights.

William S. Paley, president of CBS, in dedicating the network a year ago stated its purpose: "The underlying philosophy of this new network is a simple one—the establishment of a medium for the exchange of culture, entertainment and information among the peoples of this hemisphere, an instrument of friendship and understanding among the Americas."

A year ago, the network was of 76 stations; today it totals 97. Starting with a daily schedule of seven program hours, the network now shortwaves daily over CBS' three international transmitters eight and one-half hours in Spanish and six and one-half hours in Portuguese.

Under the supervision of Edmund A. Chester, director of shortwave broadcasting and Latin American relations, outstanding entertainers have been brought to New York and are heard daily on shortwave broadcasts of typical music of their respective countries.

THIRD YEAR of affiliation with MBS was marked by North Central Broadcasting System and its member stations at a dinner given by John Boler, NCBS president at the Hotel Nicollet, in Minneapolis recently. NCBS, which has opened offices in New York and Chicago, has renewed the Mutual affiliation contract for another two years. Seated clockwise around the table are: L. I. McCurnin, KWNO, Winona; A. A. Fahy, KABR, Aberdeen; Leonard J. McNeil, KSJB, Jamestown; Bert Wick, KDLR, Devil's Lake, N. D.; W. Westmoreland, WEAU, Eau Claire, Wis.; E. M. Marget, KVOX, Moorhead, Minn.; J. W. Huss, WATW, Ashland, Wis., and WJMS, Ironwood, Mich.; James Conroy, Robert A. Kennedy, WDSM, Superior, Wis.; D. A. Clayton, NCBS vice president; Howard S. Johnson, NCBS director; Charles Winton, E. S. Mittendorf, WLOL, Minneapolis; Fred Weber, MBS general manager; Mr. Boler; Edward L. Hayek, KATE, Albert Lea; Harry Linder, KWLM, Willmar.

War Agency Guide

HANDBOOK listing the names and functions of all Government war agencies, including the Army and Navy, has been published by OWI. The booklet, covering 150 pages, contains names of all key personnel, their functions and telephone numbers. It is available (20c) through the Supt. of Documents, Government Printing Office, Washington.

U. S. SHOWS WIN, SAYS FRANCISCO

SHORTWAVE and transcribed programs from this country to Latin America are fast overcoming German propaganda, Don Francisco, director of the radio division, Office of the Coordinator of Inter-American Affairs, said during a three-day Pacific Coast visit in early May.

Mr. Francisco conferred with Jack Runyon and Hobart Montee, Hollywood and San Francisco managers, respectively, of CIAA, to collect data on coast operations, prior to his current tour of Latin American republics. He commended the cooperation of radio and film stars, and of the Hollywood Victory Committee.

Among the most effective programs, Mr. Francisco mentioned a narrative series on people and customs of the United States, conducted by Molinos Campos, Argentine caricaturist; broadcasts featuring film stars speaking in Spanish or Portuguese; a musical series, *Hollywood Views the Americas*, featuring Rosita Moreno; and all shows dealing with U. S. war activities.

Programs are designed to hold regular audiences through use of film talent and material of sustained merit. Scheduled for transcribed release soon is *We Women Up North*, new series with Jinx Falkenburg interviewing women in all phases of war work. Touching upon comparative influence of United States and German programs, Don Francisco added that with construction of a third shortwave transmitter in San Francisco, a further advantage will be gained.

Gunther For G. Mills

GENERAL MILLS, Indianapolis, on May 7 started its third program on the BLUE in the interests of Cherrioats with sponsorship of John Gunther's twice-weekly news broadcasts. Other programs for Cherrioats are *The Lone Ranger* and *Hop Harrigan*, while General Mills also presents *Jack Armstrong* on the BLUE for Wheaties. Gunther's news is heard Friday and Saturday, 10-10:15 p.m. Agency is Knox Reeves Adv., Minneapolis.

Symphony Saved By Radio Is Hinted

U. S. Rubber Contract Given Board Report Prominence

SPONSORSHIP by U. S. Rubber Co., New York, of the CBS Sunday afternoon Philharmonic Symphony Orchestra will provide financial assistance to the Philharmonic Society at a time when "such help was necessary if the organization was to go forward," according to Marshall Field, president and chairman of the board of directors of the Society.

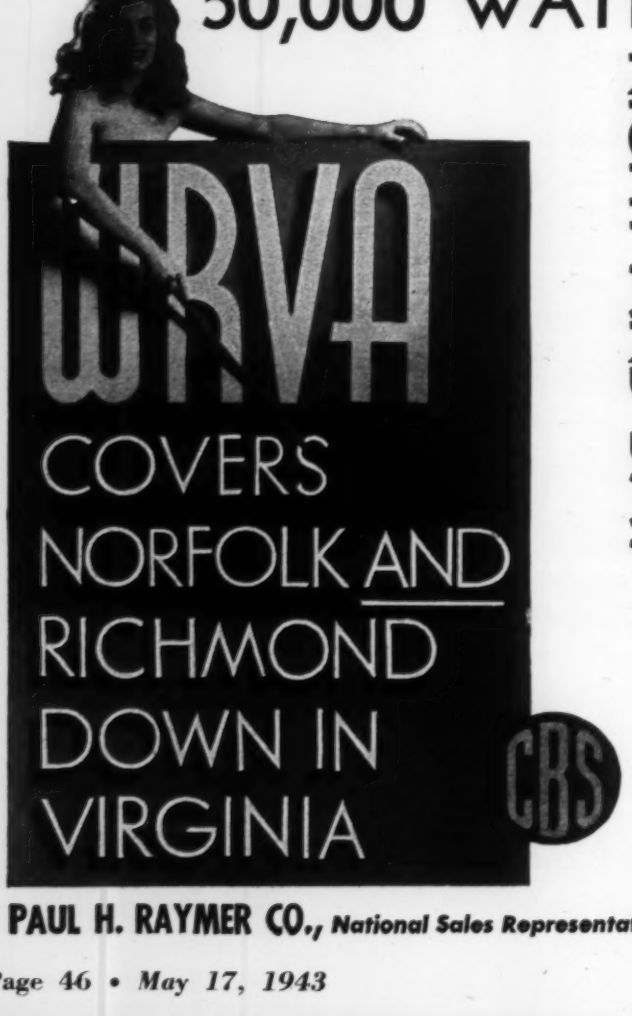
Mr. Field included this statement in his report of the 101st Philharmonic season at the Society's annual meeting in Steinway Hall, New York, last Monday. He reported the Society had an operating deficit of $130,504 last season "met from sources other than the sale of tickets, fee from broadcasting and royalties from records." "This deficit," he continued, "was made up by income from the Endowment Fund, the Guarantors Fund, dues from the Auxiliary Board, contributions from radio members and gifts from friends of the Society."

Speaking of U. S. Rubber's presentation of the concerts starting May 23 [BROADCASTING, May 10], Mr. Field said the Society "will now be able to issue to its subscribers a prospectus of the coming season and it is hoped that their response will be as generous as in the past. It is further hoped that the friends of the Society who have supported it with gifts in the past will continue to do so as generously as possible so that plans for the future development of the Society may be carried out."

Mr. Field said that the trouble between the Society and Local 802 of the AFM has been cleared up to a point "where I can state that an agreement satisfactory to both sides will be arrived at shortly."

Another For Gootee

LT. THOMAS E. GOOTEE, former NBC studio engineer in Hollywood, has been decorated with the Order of the Purple Heart for wounds received serving with the Army Air Forces in the European theatre of operations. Lt. Gootee, who is attached to the RAF in England, has already received the RAF Air Force Cross and two other American decorations.



PAUL H. RAYMER CO., *National Sales Representative*

WATL
COVERS ATLANTA
AT LOWEST COST
1400 KC
Represented by SPOT SALES

HIS EYE ON FUTURE, Sidney Pearlman, radio engineer for the Iowa Broadcasting Co., has trained 11 physically handicapped men in the art of radio engineering. Most of them in their 20's, the men have gained a new lease on life as well as helping to guarantee the continuing operation of a number of local stations. Here Mr. Pearlman (left) instructs William Green, coal miner until his back was broken in a mining accident. One of his pupils, Elmore Balthis, is now chief engineer of KFRE, Fresno.

In the CONTROL ROOM

LYDIA GAMBLE, secretary in the program department of WDRC, Hartford, has been made a fulltime control operator. Jean Kirwan has handled a control job for nearly a year.

ROBERT GRIFFIN, traffic manager of Universal Microphone Co., Inglewood, Cal., has been elevated to plant engineer.

W. W. CASTLEBERRY, acting service manager at Graybar Electric Co.'s Jacksonville office, has been appointed service manager.

URBAN F. ALBRECHT and William Hielkema have joined KSTP, Minneapolis-St. Paul, as control operators.

TOM RASOVICH, technician, of KFRC, San Francisco, recently was commissioned a second lieutenant in the Army Signal Corps.

GEORGE C. SCHISSELBAUER has joined WFIL, Philadelphia. He is a graduate of the Philadelphia emergency school.

HELEN BOGOSTA has been transferred from WNBF's FM adjunct, W49BN, Binghamton, where she was control operator-announcer, to the control-room of the parent station. Earl L. Pittsley has joined as control-engineer at WNBF.

BETTY BOYER of WCCO Minneapolis has joined KXRO, Aberdeen, Wash., as newscaster and technician, with a second class radio operator's license.

ELZA G. RUNKLE Jr., pioneer engineering staff member of KCMO, Kansas City, has returned as chief engineer after two years with WOL.

Flynn on War Job

ROY M. FLYNN, chief engineer, KRLD, Dallas, has been drafted to do a war job at the Radio Research Laboratories, Cambridge, Mass. Station's technical staff until Mr. Flynn's return will be headed by Claude Maund and B. B. Honeycutt. Mr. Flynn came to KRLD from the Dallas Radio Laboratories in 1927. He has superintended the construction of the station's subsequent power equipment.

Mysteries of Radar Partially Disclosed

WPB Releases Two Articles On Building War Machine

A PEEK into the problems faced by Ray C. Ellis, and the WPB Radio & Radar Division, in building a giant new electronics industry to supply Radar to the armed forces, was given last week in two articles released by the WPB, outlining the history of Radar and the military Radar program.

Interpreting for the layman in some detail the operating principles of Radar, the WPB articles explained that Radar itself was based on the same radio discoveries that made standard broadcasting possible. The articles continued beyond the points covered in an Army-Navy statement last month to describe expansion of the radio industry to meet the multi-billion dollar Radar demands.

Since Pearl Harbor

At the time of Pearl Harbor, five major companies turned out military radio equipment, the releases said, only one of them an important producer of home sets. There were 1,000 companies making components and about 50 assembling home sets at the time.

To spread the work done by these five companies to many thousands needed to do the job, WPB said, management, engineers, workers all had to be trained and facilities provided. In April, 1942, production of home sets was stopped and within a year the industry was turning out military material at eight times peace-time levels.

The articles described the industry's personnel problems, pointing out that most of the engineers are young men who are being absorbed by selective service. Large numbers of the workers, however, are women, including more than 50% of Signal Corps inspectors.

Over half the materials required for Radar are critical, the report says, and maintenance of the flow of production has been difficult. Much trouble has resulted from failure of manufacturers to order components on a regular basis, resulting in bottlenecks and peaks of production. At the moment, the articles said, the Radio & Radar Division is seeking to smooth the flow of production.

Defeat of the Axis will be followed, Mr. Ellis, chief of the division, predicts, by use of knowledge in electronics to build peace-time industries putting ultra-high frequency radiation to a dozen purposes. Food preservation, automatic control of machinery, fire detection, regulation of lighting and other uses will be found, he said.

Sprague 'E' Award

ARMY-NAVY E awards have been presented to Sprague Specialties Co., North Adams, Mass., owners of two plants manufacturing condensers, resistors, and other electronic equipment.

There Goes The

IMPROVED GATES TRANSMITTER

You'll Want Tomorrow!

A few years ago we "got a kick" when a station in Alaska bought Gates equipment—*Alaska seemed so far away . . .* and names like Guadalcanal and Bizerte were places we left behind in our geography books.

But today, we at Gates suddenly find ourselves at the crossroads of the world. Everyday Gates transmitters, tuning and control units, amplifiers and remote equipment start on their journey to the many odd-named war fronts.

Our experience of over 21 years of good designing, durable construction and assured performance, stand behind every Gates product. To this has been added new methods of engineering, improved efficiency. These developments are vital to our Armed Forces and of great significance to you who have plans in post-war radio.

Our engineering staff stands ready to assist and advise on the maintenance of your present equipment — whether you are Gatee-equipped, or not.

Gates

RADIO AND SUPPLY CO.

QUINCY, ILLINOIS, U. S. A.

Manufacturing Engineers Since 1922

WOR's DOCUMENTARY REPORTING

SoundScriber Overcomes Censor's Restrictions

And Yet Provides On-Scene Stories

By DAVE DRISCOLL
and
JOHN WHITMORE
War Services & News Division, WOR, New York

THE NEWSPAPER REPORTER attends the scene of a news event with his paper and pencil, makes his notes and then returns to the office to write the story or telephones it to the rewrite man. We have become identified with a device that really puts the story "on record" as it takes place. Many a glance of surprise has been directed toward WOR's reporters arriving at the scene of an important news event with a SoundScriber, one of the most compact recording machines ever used by a radio broadcasting station.

Several complications confronting radio because of war restrictions are responsible for the adaptation of what formerly was a high class office dictating machine into an instrument which provides the radio audience with a factual report of the action as it is taking place. First was the restriction on last minute orders for lines due to congestion of telephone facilities as phone companies met the demands of the Armed Forces and war industries. Second the necessity of reviewing all material before it is broadcast to prevent our supplying the enemy with information that might aid him.

Provides Spot Reviewing

Because the SoundScriber is equipped to reproduce instantly the recording it has made all interviews and description of action involving government or military activities can be reviewed by appropriate authorities on the spot. If it is found that the recording contains a part that is not clear for broadcast, this is edited out when the final dubbing is made.

Many important news conferences have been reported by the SoundScriber, providing top notch broadcasts. When Admiral Frederick C. Sherman gave his account of the sinking of the aircraft carrier *Lexington* for reporters his description of this historic event was recorded and brought to the listener in his own words. Many a ship returning from combat zones has arrived in port to find us waiting with the microphones ready to bring the listener first hand knowledge of events in other parts of the world. Some of these were the *U. S. S. Marblehead*, the exchange ship *Drottningholm* and the recent arrival of the French cruiser *Richelieu*. WOR and Mutual Network listeners have heard the description of these historic events from the people who participated in making them.

REPORTING TEAM of John Whitmore (left) and Dave Driscoll (right), as they cull the news for WOR's war services and news division, with their Soundscriber—a portable machine designed to record and instantly reproduce important events, for rebroadcast on WOR.

Obviously standard recording equipment is too cumbersome for one man to carry as he covers news events under such a variety of conditions. We needed a recorder that was light, small and compact. These features first attracted us to the SoundScriber. It records at 33⅓ revolutions per minute; the records are of a non-breakable plastic material and, while the disks are not pregrooved, the groove that results from the lateral action of the stylus is embossed into the surface of the plastic, eliminating the thread which might foul the recording head.

Made Portable Pack

We added two standard mike cable connectors, a gain control for each of the microphone inputs. The original volume control now serves as a master gain control. To give us control of the sound level we changed the rectifier tube which made possible the addition of an illuminated VI meter.

To facilitate operation in localities not equipped with power we constructed a portable power pack utilizing two six-volt motorcycle batteries and a six-volt converter. With these adaptations we can operate under almost any conditions. The recorder now weighs approximately 45 pounds and the power supply 70 pounds.

As an outstanding example of how the SoundScriber has made a large contribution to the field of documental reporting we offer the story of how we made "Death On Wheels", an editorial broadcast on WOR, January 17, and recognized as the first program of its kind to be presented by a major radio station.

With the power pack perched on the back seat and the recorder between us in the front we drove the dimly lighted streets of New York City for five nights describing actual movements of pedestrians as they dashed out of the path of some speeding automobile or the operator drove his truck through a red light. We followed taxis, private cars, trucks and buses, some of them traveling at speeds of 50 or 60 miles per hour.

Accident Marathon

Each time we encountered a violator the action along with the "on the spot" description went on the record. Nine hours of recording was made. We had everything but a fitting climax. Dozens of people were being killed due to lack of enforcement of the laws and observance of sensible driving. To make our program smack home to the listener, we needed an accident. What's more we needed the right kind of an accident.

One entire night we sat at one of the metropolitan hospitals. Every once in a while an emergency call would come through. We would dash to the car, turn on the SoundScriber and follow the ambulance. Those who heard the broadcast will testify that the accident we got was a fitting climax. We arrived at the same time with the ambulance and recorded the account of witnesses selected from the crowd at the curb, of how a hit and run driver struck a child whose legs were broken.

Response from the public has convinced us that the SoundScriber has established itself in the field of documental broadcasting and widened the latitude for documental reporting.

J & L on Mutual

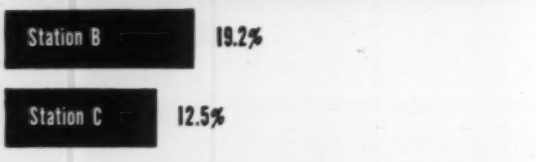
JONES & LAUGHLIN STEEL Corp., Pittsburgh, has purchased a half-hour on Mutual, Saturday, May 22 to show the public what the steel industry is accomplishing in wartime. The program, which appears to be a test, will offer "fact-grams" on the industry's achievements, and music by the Jones & Laughlin Steel Corp. Little Symphony Orchestra. Broadcast will be sponsored on 12 Mutual stations in the East and Midwest, 7-7:30 p.m. with a recorded repeat on two of those outlets. Agency is Calkins & Holden, New York.

PAUL SCHUBERT'S Mutual commentaries are now being shortwaved in part to the British Isles and to Allied troops overseas by the Office of War Information.

and now it's 64

Since January, 1938, WAPI has been the national spot business leader in Birmingham. In foods. In drugs. In fact—in *total* spot quarter-hours WAPI has, every month, broadcast *twice* as much spot time as the other two local stations *combined*.

During April, 1943 (the 64th consecutive month) Birmingham national spot quarter-hours were distributed like this:



Ask Radio Sales why WAPI is this unfailing first choice of experienced advertisers.

WAPI★BIRMINGHAM

Represented by Radio Sales, the SPOT Broadcasting Division of CBS

Dentifrices Production Threatened; Oral Hygiene Study Proves Big Usage

WARTIME problems of container and material supplies are believed by drug trade observers to constitute a serious threat to continued production of prepared dentifrices, an important group of radio-advertised products.

In some quarters, it is believed that there is a tendency greatly to underrate the importance of dentifrices to public health. This is considered the motivating factor in a study of the usage of prepared dentifrices, submitted last week by the Committee on Oral Hygiene of the Toilet Goods Association. The information was gathered by A. C. Nielsen Co., Chicago research firm, and the Psychological Corporation, through inventory of homes and drug stores and personal interviews of a representative sample of urban population.

Almost seven packages of prepared dentifrices are consumed per year for each family in the United States. Consumption has been growing, with an increase from 208 million packages in 1936 to 233 million packages in 1942.

There is little difference in consumption between the upper, middle and lower income groups, indicating that all classes of the population regard these products as necessities. The figures gathered by Nielsen show that 93.8 per cent of upper income families use prepared dentifrices, as do 91 per cent of the middle income group and 87.3% of the lower income group, with a composite figure of 91.4%.

Very few consumers believe tooth brushing is adequate for oral hygiene unless the tooth brush is used with a prepared dentifrice. This is shown by the figures on use of toothbrushes compared with use of dentifrices. The greatest number of those using a toothbrush without a prepared dentifrice is found in the lower income group, where 93.2% use a brush and 87.3% use both a brush and a dentifrice. Thus, nearly all families in all income groups using toothbrushes also use prepared dentifrices.

Directed toward the problem of wartime supplies of materials and containers, the report points out that in Britain production of dentifrices was allowed to expand 11 per cent in the last six months of 1942.

The American public uses mainly paste dentifrices (50.5%), powders (35%), and liquids, 5 per cent. Two per cent use "others"—mainly salt and soda.

"With an overall consumer demand of 233 million packages," the report says, "it is obvious that no one type can possibly supply the consumer's dentifrice requirements, either because of ingredient shortages or lack of packaging facilities."

The report concludes with three observations:

(1) The availability of dentifrices in forms the American people have accepted, and which have become traditional, has created habits of oral hygiene which have contributed to public health.

(2) There is nothing in experience to justify the belief that if deprived of prepared dentifrices the vast majority would continue to maintain their habits of oral hygiene.

(3) Any act which might cause a substantial portion of the American people to discontinue their habits of oral hygiene is detrimental to public health and welfare.

Schenley Sponsors Shows In Latin American Field

MARKING its venture into international radio advertising, Schenley International Corp., New York, has just started an institutional campaign which will be carried on about 30 stations in approximately 14 Latin American countries by the end of the summer. Purpose of the drive is to familiarize listeners in southern countries with the House of Schenley, as a build-up for post-war promotion of Schenley products.

Initial schedule, which got under way in Brazil, May 4, and in Argentina, May 7, utilizes a half-hour weekly program of drama and music. Series is aired live or transcribed on four stations in Brazil and on Argentina's Radio Splendide network, comprising some eight stations. Remaining part of the schedule is expected to begin sometime in August, with transcriptions in some countries and live programs in others where recordings are not desirable. Business is placed by McCann-Erickson, N. Y., which handles domestic advertising for Roma Wine Co., Schenley subsidiary, and for Old Charter whiskey.

Knomark Sports

KNOMARK MFG. Co., Brooklyn, beginning a campaign for Knomark and Esquire shoe polishes [BROADCASTING, Feb. 22], has started sponsorship of a seven-times weekly, quarter-hour resume of sports on WHN, New York. Bert Lee and Marty Glickman, sportscaster, are heard in the 5 to 5:15 p.m. period usually preceded by baseball broadcasts of the Dodgers Games, in a round-up titled *Sports Extra*. Agency is Consolidated Adv., New York.

Arrid Complaint

ARRID is not harmless and will not accomplish the results claimed in terminating under-arm perspiration and odor, as advertised, according to a complaint by the Federal Trade Commission against Carter Products Inc., New York, which markets Arrid deodorant. Continued use, the complaint alleges, will irritate the skin of some individuals.

WFTL, Ft. Lauderdale-Miami, has appointed Headley-Reed Co. as national sales representative.

Boycott Threat!

PROTESTING absence of Joel Kupperman, six-year-old brain whiz, who dropped out of the *Quiz Kids* program several weeks ago because of a low score, listeners are threatening to picket BLUE's Chicago studios, and boycott sponsor's products. Included in thousands of letters which demand reinstatement of Joel was one which read: "We will not touch a drop of Alka-Seltzer nor take a One-A-Day tablet until you bring that little boy back on your program. He had fun on the program and so did we." Other "Quiz Kids" have been in a similar predicament and fought their way back to the airways—so it is possible for Kupperman to stage a come-back.

WJWC Is Not Station Mayor Kelly Would Buy

ALTHOUGH Mayor Edward J. Kelly of Chicago says that the city is considering a municipal radio station it does not seem likely that the defunct WJWC, Hammond-Chicago, will be acquired. WJWC went off the air last February. Receiver of the property, Timothy P. Galvin, of Hammond, Ind., has not received a bid from the city of Chicago.

WJWC studio equipment and three towers have been sold. Remaining are the 5,000-watt W-F transmitter, two towers and supplementary equipment. Receivership was requested by Marshall Field, minority stockholder, who filed judgment to recover $200,000 loaned to the corporation.

Physical properties remaining were valued at $70,000 four months ago and are expected to go on sale in two weeks.

City now has an FM station, WBFZ, operated by the Board of Education. The mayor's admission he was thinking of a city-owned station brought fire from the Chicago Daily News.

FM License for WHEC

WHEC, Rochester, N. Y., has been granted a commercial license by the FCC to operate on FM, the grant carrying a change from the old W8XAD on 42.6 mc. to the newer W47R on 44.7 mc., with transmitter and tower located at the site of the parent WHEC transmitter. W47R is now operating 18 hours a day, with five hours given to a separate program schedule devoted to music for war workers. WHEC was one of the first ten stations in the country to experiment with FM broadcasting.

Henderson on BLUE

O'SULLIVAN RUBBER Co., Winchester, Va., will start its first network advertising Aug. 14, with a quarter-hour of comment by Leon Henderson, former OPA administrator, Saturday evenings, 6:45-7 p.m., on a BLUE network of 70 stations. Program is handled by Advertising & Sales Council, Winchester.

100 STATIONS GET WORLD WIDE SERIES

TO AID in the creation of an informed public opinion to deal with the problems of the post-war world, World Wide Broadcasting Foundation, working in cooperation with the Carnegie Endowment for International Peace, has prepared a series of transcribed addresses by eminent authorities which will be distributed to about 100 selected stations, beginning with the week of May 24, Walter S. Lemmon, president of World Wide, announced last week.

Series will feature such speakers as Nicholas Murray Butler, president of Columbia U. and head of the Carnegie Endowment; James B. Shotwell, noted historian who served on President Wilson's advisory staff at the peace conference following the last war and who is now chairman of the Committee to Study the Organization of Peace; John W. Davis, Democratic candidate for President in 1920; Silas Strawn, chairman of Montgomery Ward & Co.; Douglas S. Freeman, historian and publisher of the *Richmond News* Leader, and others.

An audience-participation feature will be injected into the series, Mr. Lemmon stated, through announcements on the programs requesting listeners to submit suggestions for post-war plans to the sponsoring groups. Those deemed most valuable and those most frequently submitted will be used as the basis for future programs.

First 13 of the post-war broadcasts already have been recorded and are ready for distribution, Mr. Lemmon said. A preview recording, introducing and explaining the series to station managers and containing excerpts from some of the talks, has been sent out.

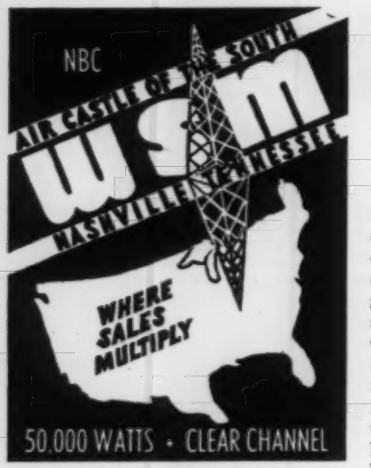
'Inequity' Raises Legal Under New WLB Ruling

POWER for the War Labor Board to grant wage increases in cases involving gross inequities was restored by Economic Stabilization Director James F. Byrnes last week, following a statement by the Board that it would be unable to operate under provisions of the President's "hold-the-line" order which permitted raises only to correct substandards of living.

The Byrnes order will open the way for settlement of some of the 35 or so radio cases now in the hands of the Board, it is believed. Extent of the relief is still in doubt, however, since WLB still may not grant raises in cases of inequalities. Further definition of the terms is expected.

Fitch Adds Dreier

F. W. FITCH CO., Des Moines (shampoo and hair tonic), starting May 16 will incorporate a five-minute newscast featuring Alex Dreier into the *Fitch Bandwagon*, heard Sundays at 7:30-8 on the full NBC network. Mr. Dreier's commentary will be broadcast at 7:55-8, with special commercials for the Fitch shaving products, No-Brush and lather shave creams. Agency is L. W. Ramsay Co., Davenport, Ia.



CHNS
HALIFAX
NOVA SCOTIA
The Busiest
Commercial
Radio Station
of the Maritimes
JOS. WEED & CO.
350 Madison Avenue, New York

INTERESTED IN THE CAROLINAS?
INVESTIGATE
WSPA
AT
SPARTANBURG
5000-1000 WATTS • CBS
REPRESENTED BY
HOLLINGBERY

WFBG
ALTOONA, PA.
Complete Coverage
NBC affiliate and
BLUE Network
19 years in the public service
HEADLEY-REED CO.
National Representatives

Sponsored Army Show on CBS Canceled by AFRA Decision

Union Won't Waive Code for AER Benefit Show Because of Profit to Network and Sponsor

REFUSING to waive its commercial code to allow the all-soldier cast of *This Is the Army* to broadcast a series of four one-hour programs on CBS under the sponsorship of Liggett & Myers Tobacco Co., the American Federation of Radio Artists last week rejected the request of officials of Army Emergency Relief for permission to present the series, which would have netted the fund approximately $40,000.

Union notified Maj. Gen. Irving J. Phillipson, executive director of the Army Emergency Relief Fund, of its decision after the union's national board had voted "by an overwhelming majority" that it would be unfair to permit uniformed men, working for regular Army pay, to participate in a venture that would result in substantial profits for both CBS and the sponsoring company, it was explained by Emily Holt, executive secretary of the union.

Tibbett to Washington

Before polling the board members, she said, she and Lawrence Tibbett, president of AFRA, had gone to Washington to discuss the whole question with Maj. Gen. Philippson, with whom CBS had made arrangements for the series.

Union's stand was endorsed by A. L. Berman, president of This Is the Army Inc., Army-controlled agency in charge of the show's financial affairs, who said that his organization agrees with the union, adding that "if it were a purely Army show we know AFRA would be the first to cooperate."

At the War Dept., the Radio Branch indicated that if AFRA, CBS and the sponsor had worked out arrangements for the show, there would have been no objection by Army officials. Though War Dept. policy dictates that in general Army men may not appear as comedians and stooges on commercial shows, exceptions are made when a program advances the interests of the Army and is in good taste. Army Regulations provide that military personnel shall not be placed in economic competition with civilians in any manner to reduce civilian opportunity to earn a means of livelihood. They further provide that "if the program is sponsored, performance of Army personnel . . . is permitted, provided such performance is an incidental part of a complete program but not a regular part of a series of programs."

Last February when the CBS *Lux Radio Theatre* broadcast condensed version of *This Is the Army*, the War Dept. approved the all-soldier cast.

Citing figures collected by the Hollywood Victory Committee that the entertainment industry of America has raised well over $2,000,000 for Army-Navy Relief, Mrs. Holt said that even so the decision to reject this request was a difficult one, but the union feels that "soldiers and sailors should not be asked to go on the air to sell cigarettes or soap or any other competitive commercial product."

It was also pointed out that the series was to be presented on Tuesday evenings from 9:30-10:30 p.m., when *Fibber McGee & Molly* and *Bob Hope* broadcast on NBC, time not currently sold on CBS which, with Army talent, would have collected time charges for its full network for the four-week period, or possibly for longer if these broadcasts secured a large enough audience.

Executives of Newell-Emmett Co., agency for Liggett & Myers, declined to comment on the situation except to say that the agency had not been involved in the negotiations with the Army or AFRA, which had been conducted entirely by CBS. CBS executives similarly refused to discuss the subject or to amplify the statement sent May 8 to its stations when the rejection was received. This message read:

Decision Surprise to CBS

"A wholly unexpected development has blocked the broadcasting of *This Is the Army* which we asked you to clear beginning May 25 for four weeks. Confidentially, after this was cleared through laborious weeks of negotiations with high officials of the United States Army and Irving Berlin and after order was signed by Liggett & Myers, AFRA raised objections to allowing Army soldier cast to perform. We have negotiated unsuccessfully with AFRA management who met for final decision last night and refused permission for broadcast. We must regretfully therefore cancel earlier reservation."

AFRA's action raises the whole question of the propriety of radio appearances of members of the country's armed forces, which it is alleged in some quarters heretofore has been decided on an apparently hit or miss basis, with no consistent policy. Sgt. Gene Autry broadcasts each Sunday for Wrigley's Spearmint Gum, but Sgt. Ezra Stone was denied permission to broadcast on Thursdays for General Foods, to cite but a single example. Outside of radio, the Army cancelled the Joe Louis-Bill Conn fight which had been scheduled for the benefit of Army Emergency Relief because the fighters and the promoters would also profit, yet they would have permitted the *This Is the Army* broadcasts if AFRA had not intervened.

Henry Isolated

STUDIO AUDIENCE for *The Aldrich Family* on NBC has been eliminated indefinitely pending the decision as to whether or not the show improves for listeners without benefit of studio laughs. Experiment started April 15. General Foods Corp., New York, sponsors the program for Post. Agency is Young & Rubicam, New York.

Persons Over 45 to Get WSJS Technical Courses

MEN and women over 45 will be trained as radio technicians by WSJS, Winston-Salem. Phil Hendrick, station technical supervisor, will teach the courses tutition-free. Object is to get transmitter and control operators.

Mr. Hendrick has had previous teaching experience, having conducted the extension division of North Carolina State College technical school work in Winston-Salem.

"The school is planned to be of benefit to all stations in our area," says Harold Essex, station director. "Each student accepted understands he or she is under no obligations to accept employment at WSJS nor is the station under obligation to provide or obtain employment for any student. "Naturally we expect to pick a couple good ones for ourselves."

Course will last six to eight weeks, two evenings per week. Graduates should be ready for the next FCC examination due in Winston-Salem first week in August.

FCC Orders Link Rates Equalized After June 30

Equalizing the charges representing the radio link in foreign or overseas radiocommunications, the FCC last week ordered establishment of uniform arrangements for the division of charges for foreign and overseas radiocommunications between licensees in the fixed public and fixed public press services and their foreign correspondents to be effective June 30.

The Commission ordered that each of the fixed public and fixed public press licensees of the AT&T, Globe Wireless, Mackay Radio & Telg. Co. (Cal.), Mackay Radio and Telg. Co. (Del.), Press Wireless, RCA Communications, Radio Corp. of Puerto Rico, South Porto Rico Sugar Co., Tropical Radio Telegraph Co., United States-Liberia Radio Corp. be modified to include the following condition:

This license is granted upon condition that the licensee shall not operate under or enter into any contract, agreement, or arrangement for the division of the radio link portion of the charges for foreign or overseas radiocommunications on a basis other than 50% thereof to the licensee and 50% thereof to the foreign correspondent of such licensee.

Red Cross Cites WHAM

CITATION from the American Red Cross for "appreciation of service" has been awarded to *Little Show*, weekly program heard for the past 26 weeks on WHAM, Rochester. Presentation took place May 7. Program aims to recruit blood donors, and features servicemen who have received blood plasma while in action, as well as talks by prominent citizens, and music.

Employment Helps At USES Offices

McNutt Points Out Varying Regional Provisions

MOST RELIABLE information about the rights and responsibilities of employers and workers under the recently enacted hiring controls [BROADCASTING, April 19] of the War Manpower Commission is available at local USES offices, War Manpower Commission Chief Paul V. McNutt said last week. He pointed out that the entire nation is now blanketed with regional stabilization agreements involving varying provisions in many of the 12 national manpower regions.

Completion of the network of regional stabilization agreements makes it possible for workers in essential industries to move to new jobs provided it is in the interest of the war effort. Under the usual stabilization agreement, WMC points out, employers issue "statements of availability" to workers to enable them to accept new jobs.

Consult the USES

These statements are to be issued when an employe is discharged or when he wishes to take a job where his services will be more effectively utilized. Refusing to explain further how employes will know when they have a right to issue these statements of availability, Mr. McNutt said, "when in doubt, consult the USES."

While the national hiring controls were going into effect, officials of the WMC confirmed Thursday that a new list of critical industries may be drawn up to assist draft boards in granting deferments.

Admitting that the present list of essential industries, which covers 35 industries and 1800 jobs, is now too bulky to provide any sort of effective assistance to draft boards in determining deferments, officials of WMC said that a shorter list of "critical' jobs is being considered.

Even if the critical list is adopted, they indicated, the list of 35 essential industries will probably be retained since it has become a vital part of hiring machinery under the stabilization programs, and since "industries like to be on an essential list because it gives them sort of a Government blessing."

Officials explained that the essential industry list never guaranteed deferment, and that with the manpower pinch becoming more acute it has become far too all-inclusive to be of service to draft boards. It is, however, they say, a practical instrument for other manpower regulations.

Another development last week was an announcement by Brig. Gen. Lewis B. Hershey, director of Selective Service, that drafting of pre-Pearl Harbor fathers is likely to begin by August 1. Selective Service has advised employers to fill in Form 42B for each such father now on his staff. This form assures the employer 15 days' notice before these men, now in 3A, are reclassified, so that he may appeal for their occupational deferment to 2A or 2B.

Games to Soldiers

PERMISSION has been granted the Western Union Telegraph Co. by the FCC to furnish play-by-play descriptions of baseball games to the Armed Forces in the South Pacific war zone. Broadcasts are to be transmitted through KWID, San Francisco.

WLB OK's CBS Contract

APPROVAL of the entire new contract between the International Brotherhood of Electrical Workers (AFL) and CBS covering technicians and supervisory personnel was announced by the War Labor Board last week following reconsideration of an earlier decision which had ruled out provisions for a shorter wage progression and shorter maximum work day, although approving a 7-cent-an-hour wage increase. WLB notified Lawson Wimberly, international representative of the union, that it had reconsidered in the light of IBEW's appeal [BROADCASTING, April 5, 12].

All the top NBC Programs
Associated Press News
THE STATION MOST PEOPLE LISTEN TO MOST
in the Savannah Seaboard Market

NBC
BLUE, TOO

WSAV
SAVANNAH
National Representatives
GEORGE P. HOLLINGBERY CO

SPRING ARCADE BUILDING — LOS ANGELES — PHONE TUCKER 7111

RADIO BROADCASTERS, INCORPORATED
KRKD
RADIO STATION

March 11, 1943

INTERNATIONAL NEWS SERVICE
235 East 45th Street
New York City, N. Y.

Attention:
ERICH BRANDEIS

Gentlemen:

It is only fitting that we pass on to the International News Service the proper credit due a splendid news service - in helping KRKD maintain superior newscasts. In this connection, we want to express our appreciation of the excellent co-operation furnished by your representative Milton Harker. Both he and the INS service have contributed greatly to our excellent newscasting. This expression of our appreciation is prompted by the ever-increasing merit of the INS service - both in the home and foreign fields, and the belief that when a pat on the back is deserved - it should be given.

This bit of a compliment is sent to you by a newspaperman. I believe twenty years of wrestling with copy should qualify me as a fair judge of INS quality. We haven't a thing to "crab" about - and when that condition prevails in a newsroom - INS must be good.

Congratulations.

Sincerely,

"Doug" Douglas
News Editor.

Thanks, "Doug"

INS

Durr Asks Cox Dismissal

(*Continued from page 12*)

intensifies a concern which I have felt for some time." Mr. Durr said these facts raise serious question as to whether or not Congressman Cox has the disinterest and objectivity requisite for the chairman or member of a committee charged with a duty to investigate and to report upon its investigation to the House.

The facts indicate, he charged, that Congressman Cox was inspired "to a large degree, if not wholly, by prejudice, animosity, and personal interest in introducing the resolution pursuant to which this investigation is being conducted, in pressing for its adoption, and in conducting the investigation since its passage."

Exhibits Included

"Because of his personal interest and because of the prejudice and bias which he has already shown . . . I do not think Congressman Cox is an appropriate person to conduct an inquiry into my activities as a member of the FCC, or into my personal affairs," said the Durr letter. "Nor, in the light of long-standing precedents of the House, do I believe that, having the full information before it, the House will deem it appropriate for him to conduct an inquiry into the activities of the FCC."

Along with the petition, Mr. Durr filed a nine-page memorandum, dated May 13, reciting the history of the WALB case and quoting copiously from testimony during the proceedings, which began on March 6, 1940. He pointed out that the $2,500 check matter had been referred by unanimous vote of the Commission in March, 1942, to the Dept. of Justice for such action as the Department might deem appropriate. He alluded to Section 113 of the U. S. Criminal Code, making acceptance of compensation for services rendered by members of Congress and certain others in public life in any proceeding before a Government agency a criminal offense punishable by imprisonment and fine.

He contended the record "shows a self-interest and a bias so obvious as to render Congressman Cox unsuited to serve on the select committee." He also cited "long-standing precedents of the House to support the disqualification here sought." After enumerating these, he said other examples could be cited showing it has been repeatedly determined that where charges are brought by a member in a matter in which he is even indirectly interested, that member is not appointed to the investigating committee.

The exhibits attached to the Durr newspaper release included a photostat of a purported WALB check dated Aug. 18, 1941, made out to Judge Cox, for $2,500 and endorsed by Judge Cox, and having cleared through the City National Bank of Albany on Auy. 30, 1941, and the voucher purportedly showing payment for "legal expense."

No Replies To FTC

RADIO & Periodical Division of the Federal Trade Commission has received no comments yet from broadcasters on suggestions made by PGad B. Morehouse, director, for simplifying clerical work in assembling commercial continuity returns submitted to the commission, according to Mr. Morehouse. The suggestions, made in a letter to a broadcaster and printed in the May 7 *NAB Reports*, are intended to make the continuity returns easier for the broadcaster but would have no effect on their handling by the FTC, Mr. Morehouse said. Broadcasters have been most cooperative, he continued, and the Commission is glad to do what it can to make their work easier.

War Food Guide

OFFICIAL GUIDE, showing how food advertisers can tie in with the National Wartime Nutrition program, was released last week by the Nutrition & Food Conservation Branch, Food Distribution Administration, in cooperation with the OWI and the Advertising Council. Promotional phases were developed through the Council, with Benton & Bowles, as volunteer agency. H. W. Roden, of Harold H. Clapp Inc., is campaign coordinator. Kellogg Co., Battle Creek, Mich., printed the folder.

UP's STYLE BOOK
Phil Newsom, Radio Manager, Advises on Writing

STYLE BOOK for radio news has been written by Phil Newsom, radio news manager of United Press, and is available to UP radio clients, the UP radio staff, journalism schools and others.

Pocket size, cloth bound, and illustrated with cartoons which emphasize the chief idea of each chapter, the book assumes the reader is already experienced in news writing, and tells him how to alter his style to make stories as clear and effective when heard as they have been on the printed page.

Mr. Newsom stresses use of short "warm-up" sentences, advises an informal style, frequent rewrites, and care in picking stories since they go indiscriminately to the whole family. The book is illustrated throughout with news stories involving the principles set forth.

'This Is Official' Set By Blue as War Series

SECOND network program to be announced following the statement made at the NAB Convention that the four networks were being asked to contribute a full weekly program to Government messages [BROADCASTING, May 3], is the BLUE's "Washington press conference of the air", which starts May 23. Titled *This Is Official* and heard Sundays 1-1:30 p.m., the program is to be presented from Washington in cooperatio nwith the OWI and is designed to provide answers to questions on the war, as submitted by the people.

Each broadcast features a "answer panel," made up of Government officials starting with Prentiss Brown, head of the OPA; Chester Davis, Federal food administrator; Paul V. McNutt, chief of the War Manpower Commission, and representatives of WPB and the War Dept. An interlocutor, who will select the questions each week and present them to Government heads, will be named shortly. NBC's all-Government program, *For This We Fight*, gets under way June 5.

This Is Official was developed by John H. Heiney, of Washington, who also will produce. Mr. Heiney originated *Prof. Quiz*, said to have started the q-and-a cycle in network broadcasting.

Strong Jap Signal

JAPANESE international broadcast transmitter at Tokyo is throwing a good signal along the Eastern Seaboard of the United States, as well as the West Coast, according to reports received in Washington. The Tokyo international station JLG4, apparently using about 100 kw. beamed to this country on 15105 kc., is putting on the news in English at 7 p.m. (EWT). These propaganda broadcasts are followed by a half-dozen recorded messages from American prisoners held by the Japs, allegedly attesting good treatment and good health. The wife of one American prisoner reported she received some 120 letters from friends throughout the country after a recorded broadcast mentioning his name.

JOHN MULLEN GETS NEW OWI COPY JOB

JOHN A. MULLEN, vice president of Benton & Bowles, has been appointed Copy Chief of the OWI Radio Bureau, Don Stauffer chief of the Bureau announced last week. The Copy Chief post is a new one, Mr. Stauffer said, involving supervision of the texts of all OWI Radio Bureau announcements, and other duties not yet assigned.

Mr. Mullen

Mr. Mullen was one of the original consultants of the OWI Radio Bureau. Officials stated that he had done "yoeman work in helping to lay plans for the Bureau's operations." At his new post, Mr. Mullen will report directly to Mr. Stauffer.

At Benton & Bowles, Mr. Mullen was director of commercials. Date of his departure from the agency has not yet been set, nor have plans been made for his replacement. He will be on leave of absence from the agency, with which he has been associated for nine years. For the past year, he has been on the Radio Advisory by Committee of the Advertising Council.

Own Agency Is Opened By Weston Hill in N. Y.

WESTON HILL, widely known in the radio industry as a copywriter and creative executive for various agencies, has announced the opening of his own agency, Hill Adv. Inc., with offices at 250 Park Ave. New York. Telephone is PL 3-7800.

Mr. Hill also announced that a branch office will be opened soon in Chicago. He did not reveal details of personnel or accounts.

Most recent agency affiliation for Mr. Hill has been with Sherman & Marquette, Chicago, where he served as a copywriter and contact man on Colgate-Palmolive-Peet Co.'s Cashmere Bouquet cosmetic and soap ,and on the Country Distillers Products account. Prior to that, he was vice-president and copy chief of H. W. Kastor & Sons, Chicago, and has also served in an executive capacity with Ruthrauff & Ryan and Blackett-Sample-Hummert.

ASCAP in North Dakota

ASCAP is again doing business in North Dakota, the Society reports, following notification by State officials that its compliance with Chapter 115 of the 1939 Session laws has been accepted and that the documents submitted by ASCAP have been accepted and filed as provided for by the statute. Licenses in North Dakota are handled through the Minnesota office, under the direction of E. W. Peterson.

Made Director

HILDRED SANDERS (Mrs. Fred Levings, Jr.), copywriter for the past three years of Mitchell-Faust Adv. Co., Chicago, has been appointed associate radio director. Lt. Paul Holman Faust, vice-president and radio director, is on leave, serving with Naval Public Relations in Chicago.

NEWSMEN WELCOME Henry Cassidy, reporter who scored the beat on Premier Stalin's demand for a second front, at a dinner at Toots Shor's restaurant, New York. Occasion was Cassidy's first network appearance, on the BLUE's *Watch the World Go By* with Roy Porter. Present were G. W. (Johnny) Johnstone, director of news and special events for the BLUE Network; Max Hill, former AP newsman at Tokyo; Porter, Cassidy, Louis Lochner, former AP news chief at Berlin; W. J. McCambridge general manager of Press Association, AP's radio subsidiary; and Clark Lee, AP newsman with MacArthur on Bataan.

FLYERS TO LEARN FROM DISCS

Navy and Interior Depts. Completing Course of Eight Months on Morse, Blinker, Etc.

BIGGEST transcription job for a single project—an estimated 250,000 pressings of a recorded naval training course—was described last week by Shannon Allen, director of the Interior Dept.'s Radio Section, and Warrant Officer George E. Marshall of the Navy's Bureau of Aeornautics.

Elements of the Morse Code, and blinker and semaphore signalling systems, will be taught to every Navy aviator by means of recordings, the masters of which are now being prepared at the radio studios of the Interior Dept. Thus, through transcriptions, one man will teach the systems simultaneously in all Navy schools, providing a measure of relief for the manpower problem.

Masters of the entire 600-disc course are expected to be finished by summer. Transcribed on eight-minute records, the course covers eight months of training, using four records per lesson. Records carry Mr. Marshall's voice as he gives instruction and dictation, and the sounds of Morse code as it spells out practice messages. Through the use of filters in both the recording and playback equipment, the 700-cycle tone of the audible code is also used to actuate a flash lamp for the teaching of blinker. Special equipment required for the project was designed and constructed by the radio section's engineering department.

A completely automatic playback set-up, in which the recorded tone actuates a loudspeaker, operates an automatic slide film projector and actuates a flashlamp blinker, is manufactured by Magnavox Co.

World Broadcasting System has the transcription contract. Pressings will be made on vinylite.

Sousa Still Leads

WITH BAND music hitting a high in popularity in time of war, the Army Band reports that John Philip Sousa's "Stars and Stripes Forever" still leads the hit-parade of band selections. In fact, it is played almost as much as the National Anthem, says Capt. Thomas F. Darcy Jr., who leads the band. Second number is Rossini's "Overture to William Tell", with the Strauss waltz "Beautiful Blue Danube", the "Poet and Peasant" overture of Von Suppe, and Sousa's "The Invincible Eagle", third, fourth and fifth on the list.

Nehi on 22

NEHI Corp., Columbus, Ga., to promote its Par-T-Pak beverages and sparkling water, on May 17 starts a varied schedule of transcribed spot announcements on 22 western stations. Contracts are for 26 weeks. Utilizing four and five announcements weekly, station list includes KFRE KVEC KSRO KENO KBKR KVRS KDYL KHQ KOL KGW KQW KHJ KTMS KGB KORE KTUC KPMC KVOE KXO KIT KIDO KIEM. Agency is BBDO, Los Angeles.

Tube Meeting Called

MEETING of the Tube Industry Advisory Committee to plan production of replacement tubes for home radios has been called for May 27, by Frank H. McIntosh, chief of the Radio & Radar Division's foreign and domestic broadcasting branch. Production of tubes for the third and fourth quarters of 1943 will be determined, and a program of parts for maintenance and repair will be discussed.

McClintock Recovers

MILLER McCLINTOCK, Mutual president, who has recovered from his recent attack of bronchial pneumonia, will speak on the network May 19 during the Navy School of Music program, when he receives a "For Victory" salute for MBS participation in Navy war-effort shows.

Compton Substitutes

MILITARY officials of high rank are substituting for Mutual's Washington newscaster, Walter Compton, while he makes a 10-day tour of Army camps. Compton's trip as official Mutual representative is part of a Government project to give commentators a picture of Army operations.

DREW PEARSON TIP TERMED A 'SMEAR'

INVESTIGATORS checking the alleged "smearing" of a Louisiana member of the U. S. Congress by Drew Pearson, columnist and radio commentator, will be heard today (May 17) by the House Military Affairs Committee which assigned the investigators to the case after Rep. Brooks (D-La.) appeared representing Louisiana members and requesting the probe.

Chairman May of the committee said witnesses would be Representative Morrison (D-La.) and a New Orleans businessman who deals in secondhand boilers.

Mr. Pearson, in his BLUE net broadcast Sunday night, May 9, is said to have referred to social affairs at 2101 R street NW in Washington at which John P. Monroe was host. Mr. Monroe's dinners have been widely publicized and the military affairs committee has been questioning him in regard to various persons reported as having been his guests. Rep. Morrison had been a guest at Mr. Monroe's house, according to newspaper accounts.

In his regular broadcast, for Serutan, Mr. Pearson is said to have offered "a tip" to the committee saying that a member of the Louisiana House delegation was to get "a juicy commission" on a contract deal promised by Mr. Monroe. Since no Louisiana member was specified by name the delegation made its formal request for an inquiry into what it termed a "smear" charge by the commentator.

NO COMMERCIAL

But WFIL Client Renews On Good-Will Basis

HARMON L. BLACKBURN, owner of Old Original Bookbinder's, Philadelphia seafood restaurant, has signed a second 13 weeks *Home Front Heroes* contract over WFIL. For ten minutes six nights a week the program permits volunteer war workers to tell their stories and make a pitch for their activities—and not a word of commercial for the restaurant is given.

Only identification of the show with the client is a single line by way of credit. Occasionally Mr. Blackburn does the interviewing although Eddie First usually handles it.

Scripts are handled by the Philip Klein Advertising agency, Philadelphia. Requests for time are received from numerous volunteer agencies and the greatest single problem is making the selections. Time is asked by war relief agencies for Britain, China, Russia, Belgium and Holland; the United War Chest, merchant seaman's canteen, Stage Door Canteen, Kitty Foyle Canteen, Jewish Welfare Board clubrooms, YMCA, American Legion, Red Cross, Philadelphia Fellowships Committee and many others.

Only restriction is that organization representative make no request for financial aid. Gifts may be solicited such as equipment and fittings for canteens. Mr. Blackburn, although making no commercial appeal on the air, plugs the program in numerous ways in his restaurant.

Mr. Blackburn seeks no returns in these days of limited food supplies. He's satisfied in good-will accumulating.

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WEVD—117 W 46th Street New York N Y

Nets Prepare for New Rules

(*Continued from page 8*)

secretary; Judge E. O. Sykes, former FCC chairman, Philip J. Hennessey Jr., and Herbert L. Bingham, members of the Federal Communications Bar Assn. executive committee; Kenneth L. Yourd and Howard Houseman, CBS attorneys.

Following this session, Mr. Miller called a meeting of the NAB Legislative Committee to be held in Washington, Wednesday (May 19). Members of the committee are James D. Shouse, WLW-WSAI, Cincinnati; James W. Woodruff Jr., WRBL, Columbus, Ga.; Don S. Elias, WWNC, Asheville; and Messrs. Russell and Ream.

Under Supreme Court procedure, the mandate will not be handed down for 25 days, or until June 5 at the earliest. During that time the networks may petition the court for rehearing, a procedure often resorted to but seldom granted. The regulations, however, cannot become effective until June 14 because on March 12 the court granted the CBS motion for a stay of mandate 10 days beyond the regular date. The cases were argued before the court Feb. 11-12, with Solicitor General Charles Fahy for the Government; Louis G. Caldwell, MBS general counsel, for that network, in support of the Government's position; Charles Evans Hughes Jr., for CBS; and John T. Cahill, for NBC.

The extremes to which the court majority went in deciding the case were manifested not only in the written opinion but in the oral comments of the former Harvard professor in reporting the momentous ruling in open court.

Extemporaneously, he commented that Congress intended that the FCC should regulate the "spiritual and intellectual" phases of broadcasting, as well as the technical.

This precise language did not appear in the written opinion. It was regarded as of highest significance, however, for if that judgment holds, there is nothing spoken into the microphone that cannot be regulated by the FCC. The comment was made in the face of the precisely-worded "no censorship" provision of the law.

Powerful Dissent

Justice Frankfurter was joined in the majority opinion by Chief Justice Stone and Associate Justices Reed, Douglas and Jackson. Justice Black disqualified himself, presumably both because his brother-in-law, C. J. Durr, is a member of the FCC and because he was a member of the Senate when the Communications Act of 1934 was passed. Justice Rutledge, newest member of the Court, took no part because he did not hear the arguments.

The powerfully worded dissenting opinion was delivered from the bench almost in toto by Justice Murphy. He was joined by Justice Roberts, who had written the opinion in the Sanders Case two years ago, overriding the FCC and holding that it had no authority to control business aspects of broadcasting operations. That opinion was effectively overturned by the majority in the network-monopoly ruling.

The Supreme Court ruling, however, does not terminate pending litigation against the networks on the question of purported monopoly, aimed at exclusive contracts, time options and the related issues. The Dept. of Justice still has pending before the Federal District Court in Chicago its anti-trust suits against RCA-NBC and CBS, alleging violation of the Sherman Act on these counts and others, including dual ownership and operation of two networks by RCA, station ownership, transcription company and artists bureau affiliations and in fact all the original counts cited in the FCC's first report of May 3, 1941.

September Trial Set

These proceedings are set for trial on Sept. 13 before Federal District Judge Barnes. There also is pending the triple-damage suit of Mutual against RCA-Blue, seeking redress of some $10,000,000 which would be pressed if that company is found guilty of infraction of the anti-trust statutes. It is expected, in the light of the Supreme Court ruling, that CBS and RCA-NBC will seek dismissal of the Government suits on the ground that the whole issue now is moot. Presumably the Mutual litigation will fall too.

Justice Frankfurter's opinion of 27 pages is the most exhaustive handed down in a radio case to date. In it he reviewed at length the history of the network controversy from its inception in March, 1938, when the Commission undertook its original investigation. He pointed out that since Oct. 30, 1941, when the suits were filed, the enforcement of the regulations has been stayed either voluntarily by the Commission or by order of court.

Enumerated in the opinion were the eight regulations, the reasons cited by the FCC for their adoption, and the reasons the Court majority sustained the Commission. He termed regulation of radio as vital to its development as traffic control was to the development of the automobile, because of the "fixed naural limitation" upon the number of stations that can operate without interference.

Traffic Officer

Answering contentions that the Commission is a "kind of traffic officer, policing the wavelengths to prevent stations from interfering with each other", Justice Frankfurter said the Act does not restrict the Commission merely to the supervision of the traffic but puts upon it "the burden of determining the composition of that traffic. The facilities of radio are not large enough to accommodate all who wish to use them. Methods must be devised for choosing from among the many who apply. And since Congress itself could not do this, it committed the task to the Commission."

It was this dictum that appeared to convey to the FCC implied control over program content. The emphasis placed by the majority on the import of the phrase "public, interest, convenience or necessity" as all-embracing, likewise connoted broad new powers which the FCC has attempted to invoke, but which till now had not been sanctioned by the courts. The "public interest", the court held further, is also the interest of the listening public in "the larger and more effective use of radio", as contained in Section 303 (g) of the Act, used by the FCC as a vehicle authorizing it to make rules applicable to chain broadcasting.

Related to the issue of multiple ownership, which the FCC sought to ban, but dropped, apparently until such time as the court adjudicated the network controversy, was the observation by Justice Frankfurter of an extreme hypothetical case. One man, financially and technically qualified, might apply for and obtain the licenses of both stations in a community and present a single service over the two stations "thus wasting a frequency otherwise available to the area".

The Act, the majority opinion continued, "does not withdraw such a situation from the licensing and regulatory powers of the Commission, and there is no evidence that Congress did not mean its broad language to carry the authority it expresses."

While the act does not explicitly say the Commission shall have power to deal with network practices found inimical to the public interest, Justice Frankfurter contended that in the context of the developing problems to which it was directed, the act gave the Commission "not niggardly but expansive powers." The Commission was given a "comprehensive mandate to 'encourage the larger and more effective use of radio in the public interest,' if need be, by making 'special regulations applicable to radio stations engaged in chain broadcasting'."

Broad Powers

Throughout the opinion, Justice Frankfurter emphasized the broad, rather than the restricted powers given the FCC by Congress, because of the fluid and dynamic state of radio. Congress did not attempt to give the Commission "an itemized catalog of the specific manifestations of the general problems for the solution of which it was establishing a regulatory agency," he said.

After concluding that the act authorized the Commission to "promulgate regulations designed to correct the abuses disclosed by its investigation of chain broadcasting," the majority opinion stated there remained for consideration the claim that the Commission's exercise of such authority was unlawful. Pointing out that the regulations were assailed as arbitrary and capricious, Justice Frankfurter said that if this contention means they are "unwise," that they are not likely to succeed in accomplishing what the Commission intended, "we can only say that the

IN THE KNOW
142-Station Survey Shows Farmers Are Informed

FARMERS are better informed about current market conditions than they have ever been in the past, according to Lance G. Hook, Chief of Radio and Market News Section of the Great Lakes Regional Office of the Food Distribution Administration, Chicago, who recently conducted a survey of 142 stations in Illinois, Indiana, Ohio, Michigan and Wisconsin.

Of the 119 stations reporting, 101 carry 486 daily market news broadcasts and farm programs. Of these, 293 are market news programs. Ninety stations broadcast 193 daily farm programs directed toward aiding farmers to solve wartime problems of production and marketing.

ppellants have selected the wrong orum for such a plea."

The court's duty is at an end, he aid, when it finds that the action f the Commission was based upon indings supported by the evidence nd was made pursuant to author- ty granted by Congress.

Congress' Responsibility

"It is not for us to say that the ublic interest will be furthered or etarded by the chain broadcast- ng regulations. The responsibility elongs to the Congress for the rant of valid legislative authority, nd the Commission for its exer- ise."

Contending that the Commission did not bind itself inflexibly to the licensing policy expressed in the regulations, the majority held that "if time and changing circumstances reveal that the 'public interest' is not served by application of the regulations, it must be assumed that the Commission will act in accordance with its statutory obligations."

Answering the networks' contention that the first amendment to the Constitution is contravened because the regulations abridge the right of free speech, the majority held that if that be so, it would follow that every person whose application for a license to operate a station is denied by the Commission "is to be denied his Constitutional right of free speech." Unlike other modes of expression, the court said, radio inherently is not available to all.

"That is its unique characteristic and that is why, unlike other modes of expression, it is subject to governmental regulation. Because it cannot be used by all, some who wish to use it must be denied."

The question is simply whether the Commission, by announcing that it will refuse licenses to persons who engage in specified network practices, is thereby denying them the Constitutional right of free speech, the majority said. The right of free speech does not include, the court held, "the right to use the facilities of radio without a license. The licensing system established by Congress . . . was a proper exercise of its power over commerce. . . . Denial of a station license on that ground, if valid under the act, is not a denial of free speech."

Vast Potentialities

The Murphy dissent, concurred in by Justice Roberts, which obviously will be strongly relied upon in the effort to get a new legislative expression from Congress, stated at the very outset that the court's minority did not question the objectives of the network regulations. Justice Murphy held that the court exceeded its competence when we "gratuitously bestow upon an agency power which the Congress has not granted."

The minority emphasized the extreme importance of radio in the life of the nation, pointing out that it has assumed a position of "commanding importance, rivaling the press and the pulpit. Because of its vast potentialities as a medium of communication, discussion and propaganda, Justice Murphy held, the character and extent of control that should be exercised over it by the Government "is a matter of deep and vital concern."

Citing events in Europe which show that radio may readily be a weapon of authority and misrepresentation, instead of a means of entertainment and enlightenment, the minority said it may even be used as "an instrument of oppression." Disclaiming any thought that such developments are imminent or probable in this country, Justice Murphy suggested, however, that the construction of the statute "should be approached with more than ordinary restraint and caution, to avoid an interpretation that is not clearly justified by the conditions that brought about its enactment, or that would give the Commission greater powers than the Congress intended to confer."

Holding unequivocally that the Communications Act does not in terms give the Commission power to regulate the contractual relations between stations and networks, Justice Murphy said nowhere in the act is there to be found by reasonable construction or necessary inference authority to regulate the broadcasting industry as such, or to control the complex operations of the national networks.

Differing sharply with the majority, he contended the power to control network contracts and affiliations by means of the Commission's licensing powers cannot be derived from implication out of the use of the 'public interest standard. He cited the Sanders case wherein the court held the Commission is given no supervisory control of the "programs, of business management, or of policy" of licensees.

Not Judged Unlawful

"To construe the licensing sections as granting authority to require fundamental and revolutionary changes in the business methods of the broadcasting networks—methods which have been in existence for several years and which have not been adjudged unlawful—would inflate and distort their true meaning and extend them beyond the limited purposes which they were intended to serve," Justice Murphy said.

Pointing out it is quite possible that maximum utilization of radio is inhibited by existing network arrangements and that some of the conditions imposed are possibly not conducive to a freer use of radio facilities, the minority nevertheless said it was unable to agree that it is within the present authority of the Commission to prescribe the remedy for such conditions.

"It is evident that a correction of these conditions in the manner proposed by the regulations would involve drastic changes in the business of radio broadcasting which the Congress has not clearly and definitely empowered the Commission to undertake."

The Commission had reversed the order of things, Justice Murphy said, asserting its real objective is to regulate the business practices of the major networks, "thus bringing within the range of its regulatory power the chain broadcasting industry as a whole." By means of these regulations and their enforcement, the Commission would not only extend its authority over business practices but would "greatly enlarge its control over an institution that has now become a rival of the press and pulpit as a purveyor of news and entertainment and a medium of public discussion."

'Mere Incident'

To assume such a function and responsibility of such wide reach and importance in the life of the nation "as a mere incident of its duty to pass on individual applications for permission to operate a radio station and use a specific wavelength, is an assumption of authority to which I am not willing to lend my assent," he said.

Reiterating the view that there may be need of regulation, Justice Murphy declared he did not believe that the Commission was justified in claiming the responsibility and authority it has assumed to exercise "without a clear mandate from the Congress."

The conditions disclosed by the Commission's investigation, which began in 1938, if they require correction, "should be met, not by the invention of authority where none is available or by diverting existing powers out of their true channels and using them for purposes to which they were not addressed," the minority opinion stated, "but by invoking the aid of the Congress or the service of agencies that have been entrusted with the enforcement of the anti-trust laws."

He concluded that "if the existing network contracts are deemed objectionable, because of monopolistic or other features, and no remedy is presently available under these provisions, the proper course is to seek amendatory legislation from the Congress, not to fabricate authority by ingenious reasoning based upon provisions that have no true relation to the specific problem."

Devoted to Art

NAMING a bass fiddle, flute, piano, piccolo, guitar, and banjo as co-respondents Mrs. Suzanne D. Kettering was granted a divorce from Frank D. Kettering, of WLS *National Barn Dance* fame. Claiming her husband spent more time with his instruments than with her, Mrs. Kettering was awarded $8,000 cash, household furnishings, an automobile, $45,000 in insurance that her husband must keep up, and $85 a week alimony.

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WEED & CO.

Grade Labeling Is Abandoned By OPA for This Year's Pack

Price Fixing by Grade to Be Continued but New Rule Does Not Require Quality on Label

ABANDONMENT of compulsory grade labeling of the 1943 fruit and vegetable pack was announced by OPA last weekend, after four months of indecision while canner and consumer groups respectively sought to overthrow and sustain the order.

OPA's action had been variously predicted and denied throughout recent weeks, with rumors of action either way leaking from the agency. Grade labeling had been carried over from the Leon Henderson administration, but was reaffirmed by Prentiss M. Brown in a statement Feb. 26 [BROADCASTING, March 1]. Mr. Brown said it was necessary to enforce price ceilings.

Decision to abandon grade labeling resulted, an official said, from Congressional pressure and from the impracticability of putting the order into effect after such a long delay.

Grading to Remain

Officials of the agency said OPA will continue to set prices on foods by grade but that the grade need not be carried on the label. Grading will be based on Agricultural Marketing Administration standards, which are to be marked on sale invoices and made available to consumers.

At the time that OPA was deciding to drop its grade label rulings, the agency adopted new regulations basing pricing on a mixture of grade labeling and established brand names. Prices on canned fruits and vegetables were fixed by brand where no grade appears on the label. Where labels carry an indication of quality, the price is determined by a schedule based on grades.

Other Objects Priced

Two other important groups of radio-merchandised products also came under new OPA pricing systems during the week. Elaborate systems of determining the ceilings of proprietary drugs and pharmaceuticals and of cosmetics and toilet articles were issued.

As to price control by brand, OPA officials said this was regarded as the simplest and most efficient way of fixing prices, and that the agency has never had any desire to injure or detract from established brand names, as charged by some opponents of grading.

OPA's adoption of brands as a price-fixing device came at the same time that a House Interstate subcommittee, under Rep. Lyle Boran (D-Okla.) was hearing Price Administrator Prentiss Brown defend OPA's standardization programs. There is no reason, however, to believe that the two events are related. Rep. Boran's committee, acting under the Halleck Resolution (HRes 98) will begin public hearings next Monday. After an executive session with the Committee last Thursday, Mr. Brown said that OPA intended to go ahead with enforcement of its hosiery standardization order, one of the principal topics before the committee.

The original momentum for the Halleck Resolution had been provided by canner opposition to the grade labeling regulations. Instigated by these groups, Rep. Halleck (R-Ind.) proposed the study, which was later enlarged to include all OPA plans for standardization, and for regulation of newsprint.

RCA Planners to Study Social, Economic Trends

RCA Victor Post-War Planning Committee, announced by David Sarnoff, RCA president, in his address to the company's annual stockholders' meeting May 4, is studying the current trend of social and economic events as a basis for determining the problems that will arise in the immediate post-war period.

This study will make possible the development of proper solutions, according to F. R. Deakins, executive assistant on commercial matters to the general manager of the RCA Victor Division, and chairman of the planning committee. Other committee members are: Dr. C. B. Jolliffe, chief engineer; J. M. Smith, general plant manager; Henry C. Bonfig, general sales manager, and F. H. Corregan, executive assistant on financial matters to the general manager.

Golenpaul Misses First Show

FOR THE FIRST time since *Information Please* has been on NBC, Dan Golenpaul, owner and producer of the show, sponsored by H. J. Heinz Co., will not be sitting at m. c. Clifton Fadiman's side to help with timing and scoring the broadcast of May 17 from New York. The program is again going to hook up with NBC Hollywood studios where Jan Struther and Boris Karloff will be guest contestants. Golenpaul will be there helping them. Franklin P. Adams and John Kieran continue as the "experts" in New York. Agency is Maxon Inc., New York.

Vacation Policy Continued

WHIO, Dayton, believes that in spite of war conditions all employes should get away from wartime radio for a short time. All personnel with station a year will get two weeks with pay; those serving six months or more, one week. Even those who have worked less than six months will have a few extra days off in addition to regular holidays. Earliest vacationer, Announcer Harry Butler, has already returned to work.

IN a move to help alleviate current war manpower shortages among broadcast engineers and technicians, a 48-hour week was started on May 1 for technical staffs of KHJ KFRC KGB KDB and FM station K45LA, California outlets owned and operated by Don Lee, Hollywood.

Free Calls

AT REQUEST of the Pacific Coast Maritime Industry Board, the FCC has granted KYA, San Francisco, permission to broadcast without charge calls to longshoremen. Need for the announcements, which will be of five minutes, a.m. and p.m., arose from inability of the hiring hall to handle a flood of calls from longshoremen incident to the loading of ships under wartime emergency conditions. The plan, which will be handled in such a way as not to reveal information of military importance, has the approval of appropriate Army and Navy authorities, according to the FCC.

Station Breaks Slated On OWI Air Schedule

STATION break announcements will probably be included shortly as a more important part of the OWI national packet, officials of the agency promised a regional meeting in Cleveland last Thursday. The meeting had been called by H. L. Carpenter, WHK-WCLE, regional consultant.

Attending the meeting were representatives of 45 stations in Ohio, Michigan, West Virginia, and Kentucky. William M. Spire, chief of the Allocation Division, Richard L. Connor, retiring station relations chief, and Mrs. Elaine Ewing, assistant station relations chief, represented OWI. Mr. Spire also said the station breaks would be used by regional offices wherever material permitted.

Scholarships Changed

WARTIME conditions have led the Detroit Board of Education to change the terms of the radio education scholarship offered by G. A. Richards, president, and Lee Fitzpatrick, vice-president and general manager of WJR, Detroit. The $5,000 U. of Michigan scholarship offered Detroit high school seniors to stimulate them to make radio management a life career, has been replaced with an outright grant of $1,000 plus $4,000 to be held in escrow until the winner returns from military service. The sum will then be available for the education or rehabilitation of the winning contestant.

New Campbell Series

CAMPBELL Soup Co., Camden, through Foote, Cone & Belding, on June 2 starts sponsoring for 13 weeks a half hour comedy-variety program on 119 CBS stations, Wednesday 9:30-10 p.m. (EWT). Packaged by Music Corp. of America, national talent service, series replaces *The Milton Berle Show* for the summer. Jack Carson is featured comedian with Johnny Johnston as vocalist. Produced by Vick Knight, the Hollywood originating variety show will utilize weekly guest stars. Lud Gluskin is musical director. Carlton Kadell announces.

FM fundamentals and practices are treated in newly-published *Frequency Modulation*, by August Hund, consulting engineer. The 375-page volume has 113 illustrations [McGraw-Hill Book Co., New York, $4].

BC, UNION PACT BEING NEGOTIATED

ATIONAL Assn. of Broadcast ngineers & Technicians and NBC gan negotiations last week for a w contract between the network d its technical employes, to be- me effective at the expiration of present contract, which dates m July 1, 1941. When negotia- ns with NBC are completed, the ion will negotiate with the LUE, whose present union con- ct was taken over from NBC at time the two networks were parated. Meetings are being held der the arbitration clause of the ntract.

Major changes asked by the ion are a 10 per cent increase in mpensation, in accordance with cost-of-living differential; an ght-hour minimum work day, and rs compensation for men work- the 1 a.m. to 6 p.m. shift. Both ies reported "satisfactory prog- s" last Friday after three days negotiations, which will continue is week.

NABET negotiating committee mprises J. H. Brown, Hollywood, sident of the union; F. C. nepper, NABET vice-president d chairman of the Chicago chap- , and Harry Hiller, chairman of e New York chapter. O. B. Han- , vice-president and chief en- eer of NBC, and John H. Mac- ald, vice-president and as- tant secretary, represent the twork.

hipps Would Buy WTAL

OLUNTARY assignment of the ense of WTAL, operated by Flor- a Capitol Broadcasters Inc., Tal- hassee, to Capital City Broad- sting Corp. for $22,500 is sought an application filed with the CC. Sole stockholder in the new rporation is J. H. Phipps, a ajor in the Army Air Forces, w stationed in Washington. Pres- ent is his wife, Elinor K. Phipps; ice-president is Teresa Myers, for o years advertising manager of e Tallahassee (Fla.) *News Dem- rat;* secretary is Lester Cross; easurer and asst. secretary is J. Riley. Mr. Phipps is the son of hn S. Phipps and grandson of enry Phipps, who with Andrew rnegie founded the U. S. Steel rp.

STARRING military personnel, the *rt Benning Theatre of the Air*, a w program from Fort Benning, Ga., being aired on WRBL, Columbus, a. Originally produced by Pvt. Barry urner, Special Service Office, show heard semi-monthly on Thursday 7:30 CWT. Capt. Robert Shackel- n and Lt. Robert H. Bumpus handle sting and directing. First program resented phases of the career of Lt. n. George S. Patton, whose ar- ored units, now in Tunisia, were ctivated at Benning.

100% Girls

WITH the arrival of June Remaly, first class license holder, K49KC, FM station in Kansas City, has a 100% girl staff in both technical and programming. Orren Nigh, whom Miss Remaly replaced, remains as supervising technical chief, but spends most of his time in the War Production activities of Commercial Equipment Co., licensee of the station.

'SOUND SISTER'
Jane Gray Chose Her Job With Deliberation

NEW KIND of career girl is Jane Gray, who has joined the WLW-WSAI, Cincinnati, sound-effects department. Unlike most young ladies whose aspirations lead to radio she passed up the customary feminine

roles of actress, woman's commentator or announcing.

Jane became interested in radio at the U. of Iowa, where she took courses in radio acting, writing and directing and for two years managed the sound effects department of WSUI, the college station.

Speaking frankly, she says: "I know clearly I haven't a good vocie. I can't act as well as I'd like to, and my writing leaves something to be desired, so sound seems the best bet. I like radio—so I'm willing to do practically any job around a station."

Jane's ambition brought her to the sound department of WLW-WSAI and an opportunity to learn all about the assorted rattles and noises that make the "scenery" of radio productions.

Lou Maxon May Leave OPA Information Job

LOU R. MAXON, Detroit advertising executive serving as public relations chief of OPA, was reliably reported last week to be considering resigning from the agency to protest OPA's "lack of clearcut policies". Mr. Maxon, it was said, is also dissatisfied with the work he has been allowed to do in Washington.

An outspoken opponent of OPA grade labeling policies, Mr. Maxon's resignation had been sought by labor and consumer groups. During those periods, he had said he "would not quit under fire." Mr. Maxon was brought to Washington at the beginning of the administration of Prentiss M. Brown. He would return to his agency.

AMP Licensees

KGA, Spokane, has a new licensing agreement with Associated Music Publishers, and the following stations have extended their licenses with AMP for additional periods: KDON, Monterey; KHSL, Chico, Cal.; KIT, Yakima, Wash.; KORE, Eugene, Ore.; KRNR, Roseberg, Ore.; WJEJ, Hagerstown, Md.; WLOL, Minneapolis; KMO, Tacoma, and KICA, Clovis, N. M.

Uncle Sam Discs

(Continued from page 7)

direct aid to the local stations left Government subsidies entirely in Congressional hands. Treasury officials were reported last week to be preparing an opinion on the Bankhead Bill to authorize paid advertising in weekly newspapers. While the Bankhead Bill rested with the Senate Banking and Currency Committee, Rep. Cannon (D-Mo.) introduced a similar measure in the House, which was referred to the Ways and Means Committee. Like the Bankhead Bill, the Cannon Bill omitted radio although Rep. Cannon said the omission was merely an oversight and did not indicate his opposition to paid time for radio.

The *Uncle Sam* programs started about three months ago. Officials said reaction has been mixed with favorable reports from many large cities and sharp criticism from small stations, many of whom expressed disappointment over the lack of big name talent, and the failure to use audience appeals.

Although no definite plans for the new series were available last weekend, discussions are underway with the Advertising Council. Officials said the new programs will be around the particular talents of the stars, and will utilize showmanship to provide the widest possible circulation for the war messages. Mr. Stauffer's letter urged stations to give the best time they had open.

"Because we are asking the help of the top programs on the air, we do not find it possible to present five programs a week as we have in the past," Mr. Stauffer wrote, explaining the cut from five to two discs weekly.

"We realize that many stations which have presented *Uncle Sam* as a sponsored series will regret that sponsorship under this new arrangement is no longer possible. At the same time we feel that the new series, using the great radio stars of this country, will secure a larger listening audience for the stations and will provide the widest possible circulation for war messages."

SECOND 'FREEDOMS' PROGRAM TO BLUE

BLUE will again be used by the *Saturday Evening Post* as an exhibit of "Four Freedoms" paintings, on June 3 goes on public display at Rockefeller Center, New York. Washington preview of the exhibit, which features the original paintings of the "Four Freedoms" by Norman Rockwell for the *Post*, was broadcast on the BLUE April 26 [BROADCASTING, April 26]. War Bonds are sold in connection with the display which is now touring the country.

The June 3 program, which occupies double the amount of time previously used, will be heard 10:30-11:30 p.m., with a recorded repeat at midnight. Talent will include a name band, singers, and comedians. Audience will be made up of 2,500 invited guests. Agency is MacFarland Aveyard & Co., New York.

"We have found these programs admirably adapted to our schedule." WMVA

● If you have not yet scheduled the ASCAP Radio Program Service, do so at once. You will find these programs a real help in changing music costs into music profits. It is without cost to any ASCAP-licensed station.

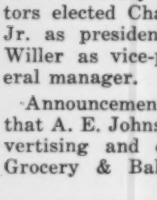
ASCAP
Radio Program Service
30 Rockefeller Plaza • New York

Robertson Follows Jones In Agency

Cincinnati Man Retires After 30 Years; Will Vacation

RALPH H. JONES, after more than 30 years as president of the Cincinnati and New York advertising agency bearing his name, has announced his retirement. Simultaneously the board of directors elected Charles M. Robertson Jr. as president, and Stanley A. Willer as vice-president and general manager.

Announcement also was made that A. E. Johnston, director of advertising and display of Kroger Grocery & Baking Co., had resigned to become vice-president in charge of creative production of the agency. Mr. Johnston, an authority on the mass market, had been with Kroger for 12 years, coming from Sears, Roebuck & Co., Chicago. Before that he was a sales executive of Philip Morris & Co. For the past year he has served as a member of the Advisory Council of the Treasury in war bond sales.



Mr. Johnston

To Take Rest

"A long deferred vacation" was looked forward to by Mr. Jones who added that his immediate plans were indefinite. His company is in "the hands of men who have long been trained in the principles and technique which have won the Ralph H. Jones Company recognition throughout the U. S. as a leader in the creation of effective advertising," he said.

The new president joined the company 14 years ago and for 10 years he has been director of radio. His experience includes copy writing, research and mechanical problems. He has applied to radio advertising many ideas which have marked advances in the use of the medium.

Mr. Willer has been vice-president for six years but takes over the general managership for the first time.

"We will continue to build upon the solid foundation Mr. Jones has formed over a period of three decades," Mr. Robertson said.

Mr. Johnston, originator of "Joe America", personifying the voting and laboring populace, is the author of a new book, "One Nation For Sale." In announcing the appointment, Mr. Robertson said his "masterly grasp of how to sell 'Joe America' is an extraordinary asset to an advertising agency, whose stock in trade is its ability to influence the average man and woman to buy products and services."

Among accounts served at the Ralph H. Jones Co. are Carter Coal Co.; P. F. Collier & Son Corp. (Dr. Eliot's 5 Foot Shelf); Modern Kitchen Bureau; Electric Range and Water Heater Division of National Elec. Mfrs. Assn.; Alexander Hamilton Institute; Korger Grocery & Baking Co.; Ten-B-Low Co.; Dow Drug Co.; Netherlands Plaza Hotel; Miami Margarine Co.; Crosley Corp. (WLW, WSAI); C. F. Streit Mfg. Co.; Stearns & Foster Co.; Sorg Paper Co.; Cincinnati Street Railway; J. G. Wilson Co.

HANDING KEYS to the shop to Charles M. Robertson Jr. (right), newly-elected president of Ralph H. Jones Co., is Mr. Jones himself (left), retiring after 30 years as head of his own agency. Looking on is Stanley A. Willer, named vice-president and general manager.

ADVERTISING AS SOCIAL PANACEA

Bert Johnston in New Book Proposes Broad Application of Selling Techniques

IT'S UP to the advertising profession, the men whose job it is to understand people and who know the science of selling products or politics, to sell the world the ideas of enduring peace, the brotherhood of man, and the ecenomics of "The American Way", writes Bert Johnston in his recently published *One Nation For Sale* [Johnson & Hardin Co., Cincinnati, $2]. The author of this thought-provoking little volume is a vice-president of the Ralph H. Jones Agency.

Johnston calls this broad application of market analysis and selling technique "Humanics", and the "combination marketer-advertiser-psychologist-sociologist" who applies its principles, a "Humanicist". He sets forth two basic laws of selling—Displacement and Point of Superiority. Ideas and merchandise are not introduced and put over in a vacuum; they must displace the old idea, preconception, inferior or familiar article, he claims. And they accomplish this through their Point of Superiority, that quality which makes them more desirable than their predecessors. In our dynamic capitalistic economy, we don't simply sell; we "*out*-sell, *out*-advertise, *out*-campaign, *out*-influence the competition". First of all The American Way must be sold to the American public, characterized by the author as Joe America. This means solving the knotty problem of capital vs. labor which, says Mr. Johnston, is primarily a public relations job.

It requires a new branch of the advertising profession "to point out to Labor [in the common language of Joe America] the value of capital and the need for labor to be responsible to capital, and then to point out to capital its need for and dependence upon labor and the responsibilities it must assume toward labor."

Radio plays a leading role among the promotional media the Humanicist must use, the author believes, for it is "the No. 1 factor of entertainment and communication in the round of Joe America's activities". Anyone who wants to influence people must study radio listening habits. Research proves that "people spend more time listening to radio than doing any other one thing except working and sleeping".

Now Lt. Koplovitz

WILLIAM C. KOPLOVITZ, member of the radio law firm of Dempsey & Koplovitz, last Monday reported for duty as a lieutenant (s. g.) in the Coast Guard, headquartering for the present in Washington. He is on leave from his law firm for the duration. Lt. Koplovitz, former assistant general counsel of the FCC, established law offices with William J. Dempsey, former FCC general counsel, three years ago, upon their retirement from the Commission. He is now attached to the legal section at Coast Guard headquarters.

Taylor For BLUE

HENRY J. TAYLOR, correspondent for the North American Newspaper Alliance, has joined BLUE's staff of commentators, and is now heard Monday through Friday, at 6:05 p.m. except on WJZ, New York. Mr. Taylor started a series of commentaries on WJZ, April 19, and will continue on that station in the 11:05-11:15 p.m. period.

Kaltenborn on Coast

MACMILLAN PETROLEU Corp., Los Angeles, shifting sta ing date of its Pacific Coast ra campaign to promote MacMil Ring-Free motor oil, begins thri weekly sponsorship of H. V. K tenborn on six NBC Pacific s tions, May 31, Monday, Wednesd Friday, 4:45-5 p.m. (PWT). Tr scribed rebroadcasts are also sch uled three times per week on K KHQ KMJ KOMO, 10:45-11 p (PWT) with similar releases KFI and KGW, 10:30-10:45 p (PWT). On KFI only, prod promoted will be MacMillan Eti gas. Contract is for 52 weeks. gan & Arnold, Los Angeles, the account.

Bank's New Series

A CAMPAIGN, prepared in operation with the Federal Ho ing Administration, to show substantial savings may be effec through a new amortized mortg plan, has been started on WMC New York, by the Dime Savin Bank, Brooklyn. Contract, start May 16, calls for about 25 tra scribed announcements weekly. A nouncements consist of famous q tations, including the source, t in with sales copy. Campaign w be confined to WMCA, New Yo station used by Dime Savings the past ten years. Contract for weeks, was placed through Aus Adv., New York.

Peterson in Sweden

ELMER PETERSON, correspon ent of the NBC London staff, arrived in Sweden as a guest the Swedish Press Club—the staff radio commentator in a gr of Americans invited to make tour of the country in recipro tion for a U. S. tour arranged five Swedish journalists last sum mer. Mr. Peterson will remain Sweden one month. During stay, he will broadcast to NBC teners from Stockholm. Mr. Pet son visited Sweden in 1933 1935 as a reporter.

Union Sponsoring

TELLING the public about th contributions to the welfare community and country, Shi builders' Union, Local 802, CIO, sponsoring 10 fifteen-minute pr grams beginning May 17, fro WIBG, Philadelphia. The pr grams, at 8 p.m. Mondays, are rected by Shirley Nason, featu writer for Public Ledger Syndica and conductor of women's progra on various stations. Guest speak will be interviewed.

New Record Drive

CAMPAIGN conducted last by Records For Our Fighting M proved so successful that a sec drive to obtain even more than 300,000 records already shipped our forces at home and abroad be held in July. Radio will again the most important medium u and the American Legion will ag offer its 11,000 posts as collec centers.

JACK BENNY, star of the we NBC show bearing his name sponsored by General Foods C (Grapenuts Flakes), has been sig for leading role in the Warner Br film, "The Horn Blows at Midnig

XUM

Radio Urged to Continue Bond Selling, Second Loan Final Count Is 18½ Billion

WITH SECOND War Loan oversubscribed by five and a half billion dollars, hitting a top of $18,000,000,000 in the final count, high praise has been sounded for radio's overwhelming bond promotion. At the same time, the industry is being urged to continue unabated campaigning.

In a recent radio address, Secretary Morgenthau thanked stations throughout the country, but pointed out that "the real battle is still ahead of us" for "our war expenditures during this year will be more than one hundred billions." In Washington, the War Savings Staff reports that people will be asked now to invest every dollar above basic essentials in bonds, and payroll savings will no longer apply to individuals but to families as well.

The 10% plan will become past history as families are asked to plan a budget which will permit higher and higher wage deductions for bonds. It is felt that as the drive drills beyond the painless area and reaches the nerve, sustained and intensified appeals will be needed.

Campaign Suggestions

Latest edition of "Radio News", a Treasury bulletin, presents some of the best ideas evolved during the Second War Loan so that stations may borrow features from each other for future promotions. The May-June edition of "'Big Guns", a Treasury bulletin for retail stores, asks that the sale of "extra bonds", over and above the amount regularly subscribed, be pushed, and suggests that radio advertising use the "Four Freedoms" theme and tie in with National Flag Week (June 7-14) and Father's Day (June 20).

According to recent OWI figures, the greatest portion of radio time given to Government announcements went to bonds during the Second War Loan, with listener impressions reaching 80% on Radio Day. War Bond listener impressions average roughly 25%. Members of the Radio Section of the War Savings Staff who have been in the field state that station managers and staffs continue to do an amazingly good job of using every possible event and local angle to put War Bonds over, often giving more time to promoting U. S. securities than to promoting their own stations.

Auctions Sell Bonds

At KWK, St. Louis, Rush Hughes has received his third Treasury citation for "magnificent" bond selling which has resulted in the purchase of $1,102,275 worth of securities since last August 19.

Bond auction at KVOR, Colorado Springs, evoked laughs as well as sales. Among the auctioned articles, which netted $101,900 in bonds, were a pig, billy goat, calf, donkey and silver fox. A bit of silk from the parachute of a flyer who jumped to safety after the Tokyo raid brought $30,000. So excited was the bond chairman that he offered the shirt off his back—which brought $5,000 more in bonds. At WSAZ, Huntington, W. Va., Manager Flem J. Evans' brother, pilot of a B-17, offered bullets fired from the guns of his ship in an auction which raised about $6,000 in two hours.

To mark the million-dollar mark passed by WJBK, Detroit, a scout troop visited the studios and took part in a 15-minute program centering about bond purchases. WHAI, Greenfield, Mass., raised $17,000 for Uncle Sam in half an hour through an "interview with bond buyers" program in a local department store. Lanny Ross addressed the spectators, sang his theme song and led the crowd in the National Anthem.

Whaling on Main Street

Patriot's Day in Massachusetts was celebrated by WNBH, New Bedford, in a whaleboat which sailed down a main street harpooning bonds. This novel stunt raised $47,175. Hitler birthday announcement by "Grouchy Gus" at WITH, Baltimore, brought pledges totaling $53,675. Evening of dining and entertainment staged at a New York night club by WBYN, with admission by purchase of a $100 bond, netted a gate of $100,000 and an equal sum for the sale of dances at $10,000 a dance.

A Mayday show at the "Rumpus Room" broadcast was finale for the Second War Loan at WMTJ, Milwaukee. Admission was by bond purchase, adding $115,000 to M. C. Johnnie Olson's total bond sale of a quarter million dollars. In Dayton and Montgomery Counties, where thirty million dollars was raised for the Second War Loan, WHIO programs and rallies were credited with much of the drive's success. On WAAT, Newark, the home town of Norman Tokar, the "Henry" of NBC's *Aldrich Family*, Norman and Jack Kelk ("Homer Brown") broadcast every ten minutes on May 15, and took telephone bond pledges in person from listeners.

Buyers Get Free Records

For the month of May, KTUL, Tulsa, stimulates bond sales from a band stand on main street and makes free recordings, to send to servicemen, of the voices of parents and sweethearts who buy bonds during a daily two-hour program.

Sales accomplished by the bond tour of *Truth or Consequences*, sponsored on NBC by Procter & Gamble, have rocketed to $69,616,953 after the May 8 broadcast in Seattle. Another amazing sale promoted by a network star was the disposal of Jacy Benny's violin for a million dollars in bonds. Benny has now volunteered his services as virtuoso to the Treasury and plans are being laid for the comedian to appear with a symphony orchestra, with admission by War Bonds only.

Over $5,000,000 in Bonds bought as admission to today's (May 17) opening of the Ringling Brothers Barnum and Bailey Circus sold out 17,000 seats in the Boston Garden. WBZ-WBZA promoted this special performance in cooperation with the Treasury, giving announcements and setting up ticket offices. Since last December, the stations have added over $11,000,000 to the U. S. "war chest".

BMI Station Program Managers Meet in N. Y.

SIXTH conference of program managers of BMI affiliated stations was held in New York last week, May 10-11, for a discussion of program structure. M. E. Tompkins, vice-president and general manager of BMI, introduced the speakers, including Sydney Kaye, BMI executive vice-president; Carl Haverlin, station relations director; Roy L. Harlow, program director; and Robert Burton, staff counsel. Clarence Menser, NBC vice-president in charge of programming, also spoke. Seventh in the series of program conferences [BROADCASTING, April 5, 26] will be held May 24-25.

Present at last week's meeting were:

Gene Wilkey, WDOD, Chattanooga; Wallace Brazeal, KFPY, Spokane; David Baylor, WGAR, Cleveland; Robt. M. Peebles, WKNE, Keene, N. H.; Mrs. Eleanor Fitzhugh, WMC, Memphis; Harvey Smith, WDEL, Wilmington; Edwin Reimers, WBEN, Buffalo; Howard Pyle, KTAR, Phoenix; G. Mallory Freeman, WRNL, Richmond; Deane S. Long, KXEL, Waterloo, Ia.; Virginia Braunberger, KGHL, Billings, Mont.; Ralph Kanna, WNBC, Hartford; Paul Corbin, KIEM, Eureka, Cal.; William Pendergast, WNBH, New Bedford; George Erwin, KFJZ, Fort Worth; Burnham Adams, WPDQ, Jacksonville; Lee Gillette, WAAF, Chicago; Edgar Parsons, WLDS, Jacksonville, Ill.; Jimmie Willson, Birmingham, and Fey Rogers, WOPI, Bristol, Tenn.

Gets Committee Post

EDWARD JARRETT, for two years in the office of Senator Wheeler (D-Mont.) and former secretary to Governor Ayers, of Montana, when he was a member of Congress, last week was named clerk of the Senate Interstate Commerce Committee, in which radio legislation originates. Senator Wheeler is chairman of the committee. Mr. Jarrett succeeds Lt. (j.g.) Bailey Stortz, who went on active duty in the Navy last September. Miss Alma Lovely, assistant clerk, has been acting clerk since Lt. Stortz's departure. Miss Lovely remains with the committee. Mr. Jarrett is a native of Roundup, Mont.

Nabisco Parades

NATIONAL BISCUIT CO., New York (cookies and crackers), have purchased a five-minute six-weekly portion of the *Good Morning* program on WGN, Chicago. The five-minute portion is titled *On Parade* and features transcribed march tunes. Contract for 13 weeks was placed through Federal Adv. Agency, New York.

WDRC
CONNECTICUT'S PIONEER BROADCASTER
$21,250,000
That's Sales Management's forecast of Hartford's Retail Sales in June—15.6% ahead of the same month last year. Similar gains show throughout WDRC's Primary Area. Connect in Connecticut by using WDRC. Basic CBS, Hartford.
CBS

KGW
PORTLAND, OREGON
"KEY TO THE GREAT WEST"
5,000 Watts—620 Kilocycles
NBC RED NETWORK
Represented Nationally by
EDWARD PETRY & CO., Inc.

24 Hours a Day!
WOL
WASHINGTON
Washington's Only 24 Hour Station
1000 WATTS 1260 KC.
AFFILIATED WITH MUTUAL BROADCASTING SYSTEM

The Northwest's Best Broadcasting Buy
WTCN
BLUE NETWORK
MINNEAPOLIS ST. PAUL
Owned and Operated by ST. PAUL DISPATCH PIONEER PRESS, MINNEAPOLIS DAILY TIMES.
FREE & PETERS, INC — Natl. Rep.

Actions of the FEDERAL COMMUNICATIONS COMMISSION

MAY 8 to MAY 14 INCLUSIVE

Decisions . . .

MAY 11

License renewals for regular period: KALB KDLR KFJI KGY KPFA KVSO WFOY WGCM WJEJ WMFG WSNJ KCRJ WTRC WFTC KBND KOCY KVIC KVOL KWOC KXRO WAIR WBRK WCLS WFBG WGTM.

WPTZ, Wyndmoor, Pa.—Granted permission to announce "WPTZ, Philadelphia" for program correlation, with conditions.

W75NY, New York—Granted license renewal to June 1, 1944.

KALW, San Francisco—Granted license renewal to May 1, 1944.

WBRY, Beattyville, Ky.—Same.

W9XER, Kansas City, Mo.—Same.

KYA, San Francisco — Granted special service authorization to broadcast calls to Longshoremen, service to be rendered without charge, announcements to be of 5 min., a.m. and p.m.

MAY 12

WCOP, Boston—Passed over to June 16 action on petition for order to take depositions re license renewal application.

WLAN, Endicott, N. Y.—Granted permission to dismiss without prejudice application for mod. of CP for 1450 kc., 250 w., unlimited.

WJRM, Elkins, W. Va.—Granted continuance hearing on application for CP to June 7, 1943.

Transradio Press Service—Granted extension to August 2, 1943 to file proposed findings of facts, etc. in case of Transradio vs. AT&T et al and in investigation of rates etc. of AT&T in rendering certain press service.

MAY 13

WKBZ, Muskegon, Mich.—Granted leave dismiss without prejudice application for mod. license to change frequency 1490 kc. to 1450 kc.

W8XCT, Cincinnati—Granted mod. CP as mod. authorizing new experimental television station, extend completion date to Oct. 28, 1943.

Applications . . .

MAY 10

WMMN, Fairmont, W. Va. — License cover CP as mod., change DA for N use, increase power.

KLRA, Little Rock—License cover CP as mod., to move transmitter, for new transmitter, change frequency, increase power, changes in DA for N use, etc.

WBKB, Chicago—License cover CP for new commercial television station, in part.

MAY 14

WFTL, Ft. Lauderdale, Fla.—Vol. Assignment license and CP to Fort Industry Co.; mod. license move main studio to Miami, contingent on granting license assignment.

Tentative Calendar . . .

WJRM, Elkins, W. Va.—Mod. CP for 1240 kc., 250 w., unlimited. (May 17).

Ham Shortwave Permits

OPERATING permits for several shortwave amateur stations within Los Angeles County during air raid alerts, were recently issued by the FCC to Los Angeles County Defense Council. Covering the San Dimas and Temple City districts, the permits, according to H. G. Martin, CDC radio aide, raise the number of these stations to 12. Part of a county-wide network, the system operates on two and one-half meters.

Capt. William Sparks

CAPT. William Sparks, president of Sparks-Withington Co., manufacturers of the Sparton receiver, died on May 13, after several years' illness. Services were held May 15 in his home city of Jackson, Mich., where he was a leader in civic affairs. Capt. Sparks was a pioneer in development of automotive radio, and was a leading member of the Radio Manufacturers Assn., in which he was active in important capacities.

Video Session

WILL BALTIN, program director of W2XWV, Du Mont television station in New York, and Sam Cuff, in charge of the station's experiments with commercial telecasts, were featured speakers at the spring meeting of American Television Society, held last Thursday at the Hotel Capitol, New York.

Winterine Answers FTC

WINTERINE Mfg. Co., Denver, (Antarctic antifreeze) has denied Federal Trade Commission allegations that the product causes corrosion, rust, etc., in auto cooling systems. OPA ceiling prices were later set at a price below cost of making the product. This, the answer asserts, was followed by a WPB order prohibiting manufacture of the product, and by reason of these orders the company has suffered great financial loss and is unable to employ attorneys to represent it. Hearings will be held.

Short Time Meter

TIMER for extremely short intervals, as low as 100 microseconds, has been announced by the Special Products section of General Electric. The new electronic meter is designed to measure the interval between two events which can be converted into electrical impulses, such as the elapsed time between the closing of two controls, between an electrical impulse and a light impulse, or between two impulses to a phototube.

Swing Paid $73,050

RAYMOND GRAM SWING, commentator for the General Cigar Co., New York, on Mutual, was paid $73,050 by the company in 1942, General Cigar's annual report to the Securities and Exchange Commission showed last week.

Subscribe to Library

STANDARD RADIO announces the following new and renewal subscribers to the Standard Program Library: KXYZ, Houston; KRIS, Corpus Christi; WBZ-WBZA, Boston; WNEW, New York; WTHT, Hartford; WJHL, Johnson City, Tenn.; WKWK, Wheeling; WFCI, Providence; KYW, Philadelphia; WSTV, Steubenville, O.; WJPF, Herrin, Ill.; WMFF, Plattsburg, N. Y.; KSRO, Santa Rosa, Cal.; WCOV, Montgomery, Ala.; WLBJ, Bowling Green, Ky.; WCOP, Boston; WFHR, Wisconsin Rapids; WFIN, Findlay, O.; WHDF, Calumet, Mich.; WADC, Akron; WEEU, Reading; WLAY, Sheffield, Ala.; KXL, Portland, Ore.; KTBC, Austin; WHLD, Niagara Falls.

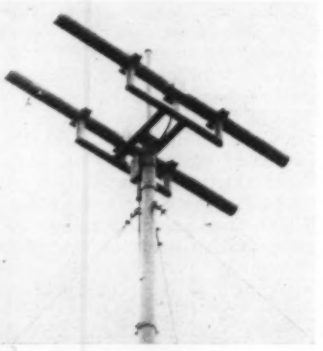
Merger of Postal, W. U. Covered in Agreement

AGREEMENT to merge was signed last week by the Postal Telegraph and Western Union Telegraph Cos. The action was taken under authority of an Act of Congress approved March 6, 1943, and in cooperation with a merger committee consisting of Commissioners Payne, chairman; Clifford J. Durr and Ray C. Wakefield, named by the FCC to deal generally with problems arising in connection with any proposed merger of domestic telegraph carriers.

FCC Chairman James Lawrence Fly commented that "a genuine public benefit, in terms of improved public service during the war period, will result from a sound plan of merger between Western Union and Postal Telegraph. The companies can be sure of our prompt consideration of the matter."

The carriers must now submit an application to the Commission before a merger can be affected and thereupon the Commission will order a public hearing on the application, according to the FCC. While plans for distribution of international telegraph traffic among the carriers concerned has been discussed, this subject is still under consideration by the FCC Committee and the companies affected. Leading up to the signing of the merger agreement, a number of conferences was held by the Committee and representatives of Postal, Western Union, American Communications (CIO) the Commercial Telegraphers' Union (AFL) and others whose interest the merger might effect.

NEW FM ANTENNA



DESIGNED TO RELAY FM programs from studio to main transmitter via any of the 23 assigned channels centering on 337 megacycles, a new radio relay antenna has been developed by engineers of the General Electric electronics department at Schenectady. One of the new antennas is in operation relaying programs of W85A, Schenectady, to the main transmitter 12 miles away in the Helderberg mountains.

Says M. W. Scheldorf, G-E engineer, "The antenna concentrates its radiation in a narrow beam in the desired direction only, in accordance with well defined and narrow limitations of the Federal Communications Commission." Mounted within a nonmetallic housing which protects the entire electrical system from the weather, it mounts easily on a single metal pole.

Network Accounts

All time Eastern Wartime unless indicated

New Business

PRINCE MATCHABELLI Inc., New York (Stradivari perfume), on May 16 started sponsored Paul Lavalle conducting Stradivari Orchestra on 118 CBS stations, Sun., 4-4:15 p.m. Agency: Morse International, N. Y.

JONES & LAUGHLIN STEEL Corp., Pittsburgh (institutional), on Sat., May 22, 7-7:30 p.m. only, sponsors educational and music program on 12 MBS stations. Agency: Calkins & Holden, N. Y.

DOMINION GOVERNMENT, Royal Canadian Air Force, Ottawa (recruiting), on May 19 starts *RCAF Quiz Show* on 56 Canadian Broadcasting Corp. stations, Wed., 9-9:30 p.m. Agency: MacLaren Adv. Co. Ltd., Toronto.

Renewal Accounts

GENERAL MILLS Inc., Minneapolis (Wheaties), on May 31 renews *Kitty Foyle* on 43 CBS stations, Mon. thru Fri., 10:15-10:30 a.m. (Rpt., 11:30 a.m., and on May 31 renews *Valiant Lady* (Bisquick), on 6 CBS stations, Mon thru Fri., 10-10:15 a.m. (Rpt. 11:15 a.m.). Agency: Knox-Reeves Adv., Minneapolis.

U. S. TOBACCO Co., New York (Dill's Best and smoking tobacco), on May 31 renews *Gay Nineties Revue* on 66 CBS stations, Mon., 8:30-8:55 p.m. (Rpt. 11:30). Agency: Arthur Kudner Inc., N. Y.

PRUDENTIAL Insurance Co. of America, Newark, on May 30 renews *The Family Hour* on 84 CBS stations. Sun., 5-5:45 p.m. Agency: Benton & Bowles, N. Y.

D. L. CLARK Co., Pittsburgh (candy), on May 30 renews for 13 weeks *Where Do We Stand?* on 110 BLUE stations, Sun., 5-5:30 p.m. Agency: Walker & Downing, Pittsburgh.

Network Changes

LEVER BROS., Cambridge, Mass. (Rinso), on May 12 added to *Mayor of the Town* on 119 CBS stations, Wed. 9-9:30 p.m., a West Coast repeat, Wed., 9:30-10 p.m. (PWT). Agency: Ruthrauff & Ryan Inc., N. Y.

GENERAL CIGAR Co., New York (Van Dyck cigars), on May 11 shifted *William Winter* on 7 CBS Pacific stations from Wed., 9:30-9:45 p.m. (PWT), to Tues., 9:45-10 p.m. (PWT). Agency: Federal Adv. Agency Inc., N. Y.

GENERAL FOODS Corp., New York (Jell-O), on May 14 shifted *Kate Smith Hour* on 116 CBS stations, Fri., 8-8:30 p.m., with West Coast repeat, 9-9:30 p.m. (PWT), from Hollywood to New York; shifted *Kate Smith Speaks*, same date, on 73 CBS stations, Mon. thru Fri., 12 noon-12:15 p.m., from Hollywood to New York. Agency: Young & Rubicam Inc., N. Y.

LOEW's Inc., New York (MGM pictures), on May 10 shifted *The Lion's Roar* on 51 BLUE stations, Mon. thru Fri., 7-7:05 p.m., with transcribed West Coast repeat, Mon. thru Fri., 6:25-6:30 p.m. (PWT), from New York to Hollywood. Agency: Donahue & Co., N. Y.

KRAFT CHEESE Co., Chicago (margarine), on June 27 discontinues *The Great Gildersleeve, Sundays* 4:30-5 p.m. on 67 NBC stations for 8 weeks. Agency: Needham, Louis & Brorby, Chicago.

E. R. SQUIBB & SONS, New York (Squibb products), on June 11 discontinues *Keep Working, Keep Singing, America*, on 61 CBS stations, Mon., Wed., and Fri., 6:30-6:45 p.m., and on June 13 starts unnamed program on 117 CBS stations Sun., 8-8:30 p.m. Agency: Geyer, Cornell & Newell, N. Y.

F. W. FITCH Co., Des Moines (shampoo and hair tonic), has added 4 stations to *Fitch Bandwagon*, making a total of 125 NBC stations, Sun., 7:30-8 p.m. Agency: L. W. Ramsey Co., Davenport, Ia.

CHESEBROUGH MFG. Co., New York (Vaseline products), on May 19 shifts *Dr. Christian* on 114 CBS stations, Wed., 8:30-8:55 p.m., West Coast rpt, 8:30-8:55 p.m. (PWT), from Hollywood to New York for 4 weeks Agency: McCann-Erickson, N. Y.

WHDH To Spot Sales

SPOT SALES Inc. has been appointed national sales representatives for WHDH, Boston. Offices are located in New York, Chicago and San Francisco.

CLASSIFIED Advertisements

Situations Wanted, 10c per word. Help Wanted and other classifications, 15c per word. Bold face listings, double. BOLD FACE CAPS, triple. Minimum charge $1.00. Payable in advance. Count three words for box address. Forms close one week preceding issue. Send Box replies to BROADCASTING Magazine, National Press Building, Washington, D. C.

Help Wanted

Experienced Announcer—Wanted at once for regular assignment. Permanent position on 5000 watt NBC station in Great Lakes District. Please write full details on experience and background. All replies treated confidentially. Box 638, BROADCASTING.

KGNC, Amarillo, Texas—Needs Emcee announcer capable of handling variety shows—special events. Also need experienced news man, and continuity writer. Send complete information to Raymond Hollingsworth.

EXPERIENCED SALESMAN — A 5,000 watt CBS station can use a salesman of proven ability who is more interested in his future than present inflationary salary. If you are a live-wire who wants to invest in the future we have an excellent opportunity for you. Write WKZO, Inc., Kalamazoo, Michigan, giving full details about yourself, age, draft status, etc.

Combination Announcer-Operator — (First or second class). Able read news. Your present pay for forty hours with guaranteed pay for minimum of forty-eight. Network station in Rocky Mountains. Box 626, BROADCASTING.

Announcer—Permanent position with 5 k.w. regional network station for draft deferred experienced man. Box 623, BROADCASTING.

Announcer—Give experience, abilities. Permanent. Box 625, BROADCASTING.

Announcer—Experienced, for network station located in large metropolitan area in New York State. Send transcription and details in letter. Draft status, and salary. Box 627, BROADCASTING.

Announcer—No experience necessary. Give personal details, draft status, age, etc. Apply Box 628, BROADCASTING.

Aggressive Draft Deferred Salesman—Wanting position with opportunities for advancement. Wanted by 5 k. w. regional network station. Box 624, BROADCASTING.

Wanted Immediately—Chief Engineer for 1,000 watt southern regional station. State qualifications and salary desired in first letter. Station WALB, Albany, Georgia.

Announcer—Capable and willing to develop into all around man. Permanent not "Duration" position. Good character reference essential. Please write full details including salary wanted and enclose photo. WTOL, Toledo, Ohio.

Experienced Announcer — Draft exempt. Flat salary plus commercial fees on one of South's most progressive stations. 5,000 watt network affiliate. Write, wire or phone Henry P. Johnston, WSGN, Birmingham, Alabama.

Situations Wanted

ANNOUNCER-PRODUCER — At liberty June first. No draft. Good station or agency proposition. In or near New York or Boston. Please detail first letter. Box 634, BROADCASTING.

Solid Background—For news presentation, programming, and commercial and/or personality announcing. Midwest family man. Let's exchange references. Box 632, BROADCASTING.

Young Woman — Experienced Programming, Production, Writing, Announcing. Ideas plus zest for work. Now writing and producing weekly show over 5000-watt NBC-Blue affiliate. Available June 30. Box 633, BROADCASTING.

Situations Wanted (Cont'd)

Experienced Farm Broadcaster — Eight years of farming - USDA - Agricultural broadcasting-selling. Can develop and write shows. College, 3-A. Now earning $4400. Box 635, BROADCASTING.

Announcer — Several months' experience small station. Age 28. 4-F. Box 637, BROADCASTING.

Draft Deferred — News Editor and announcer, play by play sports man, also staff announcing. Now employed, wants better position. Box 636, BROADCASTING.

What's Your Staff Problem—MC? Program Director? Solid news? Strong commercial? Experienced man can really qualify —Available soon. Box 631, BROADCASTING.

AVAILABLE JUNE 1st—General Manager. Good organizer. Can obtain operators, salesmen and announcers if needed. Nine successful years in radio as Salesman-Commercial Manager-General Manager. Have doubled business present location since February 1st. Wide reputation in industry. Good agency connections. Proven record. Best of references. Gentile. Married. Age 40, draft exempt. Give full details in reply. Box 617, BROADCASTING.

Announcer—6 years, 4F. Experienced in programming, production. Knowledge of engineering. Desires to change present position. Prefer northeast. Box 618, BROADCASTING.

First Class Licensee—All around broadcast experience; 4F. Available immediately for position with progressive station. Box 629, BROADCASTING.

ANNOUNCER—Draft deferred. Available now. Experienced studio commercials, newscasts, special events. Edward Jaeger, WCLO, Janesville, Wis.

Announcer — Experienced; commercial, news, ad lib, emcee, vocalist; 4H draft; available June 1. Box 622, BROADCASTING.

Young Woman—Wishes position with progressive station in large city. 8 years' varied radio experience; program director, production manager, public relations, sales, continuity writing, announcing in in commercial radio station; teaching broadcasting technique in university and directing educational broadcasts. Box 621, BROADCASTING.

WANTED—By experienced radio man, now manager of eastern network station, permanent position with progressive midwestern station. Prefer program or production fields. Experienced in all departments. 38, family. Excellent personal reasons for change. Box 620, BROADCASTING.

ENERGETIC MANAGER—Age 37, 3-A draft status, married with family. 15 years' newspaper and radio experience, now employed manager 5 k. w. regional network affiliate—desire to make change for personal reasons. Thoroughly experienced in handling personnel, own commercial manager. Excellent program experience. Natural flair for sales-producing ideas. Successful selling record. Details on request. Box 619, BROADCASTING.

Wanted to Buy

Field Intensity Measuring Equipment—Federal preferred, but what have you? Radio station WAKR, Akron, Ohio.

Recorder and Playback—RCA or Presto preferred, radio station WBML, Macon, Georgia.

FTC Cites Willys

THE IDEA of creating a "Jeep" was originated by the American Bantam Car Co., of Butler, Pa., in collaboration with certain officers of the Army, and not by Willys-Overland Motors, of Toledo, the Federal Trade Commission says in a complaint against Willys-Overland for purported misrepresentation in its radio and other advertising as to the creation and perfection of the Army Jeep. Named with Willys-Overland as respondents are United States Adv. Corp., Toledo; and executives of the manufacturer and the advertising agency.

Woods Enters Winchell Censorship Controversy

CONTINUED objections by Walter Winchell of "censorship" of his Sunday night broadcasts on the BLUE last week brought Mark Woods, president of the BLUE, into the picture. Disputes heretofore have been mainly between Winchell and the Andrew Jergens agency, Lennen & Mitchell, New York [BROADCASTING, April 19].

Two items in Winchell's script for May 9 were reportedly blue-penciled by Mr. Woods, one referring to the draft deferment request of the son of a Kansas Representative, the other a reference to "grudge fights" between prominent Washingtonians.

The BLUE had no comment to make on Winchell's criticism of script supervision, and Lennen & Mitchell, queried as to whether Winchell's option for 1944 due May 31 had been renewed, said no decision had been reached.

Kennedy Lauds, Raps Recording Engineering

HIGH praise for researchers and technicians who are developing better methods of sound transmission was given by T. R. Kennedy Jr. of the *New York Times* radio department at the May meeting of the Institute of Radio Engineers in New York. Strong condemnation was added for those engineers and manufacturers of home sound reproducing equipment who undo the good work of the former.

Mr. Kennedy illustrated his talk with records of radio programs made by himself on home equipment. He emphasized the quality of NBC FM station recordings as having "good balance, minimum of noise and more musical 'reality'" and said, "and this is the way phonograph records will sound when needle noise has been banished."

An enthusiastic FM fan, Mr. Kennedy said that "FM broadcasting is doing something for the listener beyond the immediate possibilities of AM broadcasting. The only objection is that FM and television sound channels reveal too many defects from our studios. FM actually is too good for the studios and the concert artists, in a sense. They could be placed more advantageously when FM carries the program."

BILL MORROW and Ed Beloin, for more than three years writers on the weekly NBC *Jack Benny Show*, sponsored by General Foods Corp. (Grapenuts Flakes), report to Fort MacArthur, Cal., for Army induction in late May.

PROFESSIONAL DIRECTORY

JANSKY & BAILEY
An Organization of
Qualified Radio Engineers
Dedicated to the
SERVICE OF BROADCASTING
National Press Bldg., Wash., D. C.

McNARY & WRATHALL
CONSULTING RADIO ENGINEERS
National Press Bldg. DI. 1205
Washington, D. C.

PAUL F GODLEY
CONSULTING RADIO ENGINEERS
MONTCLAIR, N.J.
MO 2-7859

HECTOR R. SKIFTER
Consulting Radio Engineer
FIELD INTENSITY SURVEYS
STATION LOCATION SURVEYS
CUSTOM BUILT EQUIPMENT
SAINT PAUL, MINNESOTA

GEORGE C. DAVIS
Consulting Radio Engineer
Munsey Bldg. District 8456
Washington, D. C.

Radio Engineering Consultants
Frequency Monitoring
Commercial Radio Equip. Co.
Silver Spring, Md.
(Suburb, Wash., D. C.)
Main Office: 7134 Main St. Kansas City, Mo.
Crossroads of the World Hollywood, Cal.

Frequency Measuring Service
EXACT MEASUREMENTS
ANY HOUR—ANY DAY
R.C.A. Communications, Inc.
66 Broad St., New York, N. Y.

RING & CLARK
Consulting Radio Engineers
WASHINGTON, D. C.
Munsey Bldg. • Republic 2347

Fort Industry Co. Acquires WFTL, Ft. Lauderdale, Fla., at $275,000 Cost

SALE of WFTL, Fort Lauderdale, Fla., by Ralph A. Horton, retired investment banker, to the Fort Industry Co., headed by Lt. Com. George B. Storer, for $275,000, was consummated last week, subject to FCC approval. Applications covering the transfer were filed with the FCC last Wednesday in behalf of both Mr. Horton and the Fort Industry Co.

The station recently began operating on 710 kc. with 10,000 watts full time, in lieu of a local 250-watt assignment. There have been reports of its impending sale for some time, due to the ill health of Mr. Horton. It is a Mutual outlet.

Fort Industry Co. owns and operates WWVA, Wheeling; WSPD, Toledo; WMMN, Fairmont, W. Va.; WAGA, Atlanta; WHIZ, Zanesville; WLOK, Lima. O. J. Harold Ryan, assistant director of censorship, is vice-president and treasurer of the Fort Industry radio operation, but is on leave while on Washington duty.

Lt. Com. Storer likewise is on leave, serving as materiel procurement officer in the 9th Naval District in Chicago. Active direction of the company is in the hands of George W. Smith, executive vice-president, and directing head of WWVA, and L. A. Pixley, general manager in Detroit.

The agreement covering the transaction, filed with the FCC, sets out that several mortgages are outstanding on WFTL, which are satisfied as part of the $275,000 transaction. The grand total of all the equipment and property in WFTL was given as approximately $181,000. A certified report by an accountant set the total cost to Mr. Horton of WFTL and its operations, to March 31, at $252,500, including original cost, depreciation, cost of financing and interest and services.

Included in the purchase price of $275,000 were mortgages aggregating $36,000 held by Florida banks. The contract may be cancelled if, at the end of six months, the FCC has not approved the application for transfer.

The application for transfer was filed by Andrew W. Bennett, Washington attorney.

ALL BLUE OFFICERS ARE AGAIN ELECTED

MARK WOODS, BLUE president, and other officers of the network were re-elected to their respective positions at a meeting May 7 of the board of directors. Officers include Niles Trammell, chairman of the executive committee; Edgar Kobak, executive vice-president; Phillips Carlin, vice-president in charge of programs; Keith Kiggins, vice-president in charge of stations; Fred M. Thrower, Jr., vice-president in charge of sales; E. R. Borroff, vice-president in charge of the central division; Don E. Gilman, vice-president in charge of the western division; Lunsford P. Yandell, vice-president; Charles E. Rynd, treasurer; Lewis MacConnach, secretary; Alexander D. Nicol, controller; Anthony M. Hennig, asst. treasurer; Robert D. Swezey, asst. secretary, and Christian Pfautz, asst. secretary.

Summer Plans

WESTINGHOUSE ELECTRIC & MFG. Co., East Pittsburgh, Pa. foregoing a summer hiatus, will continue its Westinghouse Program on 126 NBC stations, Sunday, 2:30-3 p.m. (EWT). John Charles Thomas is m.c.-vocalist, with John Nesbitt, narrator. Victor Young is musical director, with Ken Darby's vocal chorus being featured. Clare Olmstead is producer for Young & Rubicam Inc., agency servicing the account.

RESULTS from the first announcer training school of WEEI, Boston, were so successful that a second school is to be opened May 17. Only men are eligible, and they must be in deferred draft classifications and be employed in a non-essential industry.

Air Wick on WOR

SEEMAN Bros., New York, starts promotion for Air Wick—a new product designed to neutralize cooking and other undesirable odors —with participations on Bessie Beatty's program on WOR, New York. Contract starts May 17 and continues for 52 weeks. No further radio plans at present. Agency is William H. Weintraub Co., New York.

Comfoot Plans Test

COMFOOT PRODUCTS, Chicago (foot balm), is planning a test radio campaign in Midwestern and West Coast markets. A new product, this is the first advertising planned. Nature of radio promotion and markets have not been released by agency, Malcolm-Howard, Chicago.

Pen to Hubbard

BECAUSE President Stanley E. Hubbard of KSTP, Minneapolis-St. Paul, started the movement to create a post-war world center of aviation in the Twin Cities, he received a letter of thanks from Gov. Harold E. Stassen. And with the letter came the pen the Governor used when he signed the airport bill.

Nelson, Grabhorn Slated For New York Club Post

NOMINATIONS of officers for the 1943-44 sessions of the Radio Executives Club of New York were announced at last Wednesday's meeting by the nominating committee, with ballots to be mailed out to members this week and results to be announced May 26.

Candidates for next year's presidency are Linnea Nelson, timebuyer of J. Walter Thompson Co., and Murray Grabhorn of the BLUE Spot Sales Department. Vice-president nominee is Beth Black, timebuyer of Joseph Katz Co.; for secretary, Warren Jennings, New York representative of WLW, Cincinnati, and Lou Moore, Radio Advertising Corp., and for treasurer, Ninette Joseph Taranto, BBDO, and Maxwell Dane, WMCA, were named.

The May 19 meeting of the club has been designated SESAC Day, it was announced by Tom Lynch, Wm. Esty & Co., and president of REC.

Also featured at last week's meeting was the award of a plaque from the club to Marvin Kirsch, business manager of *Radio Daily*. Out-of-town guests included Lew Avery, NAB, and C. Merwin Dobyns, KGER, Long Beach.

Ups To 213 Stations

GENERAL FOODS Corp., New York, has expanded the list of stations carrying announcements for Post Toasties, Post Raisin Bran and Bran Flakes from 150 to 213 [BROADCASTING, May 3]. Of the current total, 74 are used as part of the G-F campaign on the Keystone Transcription Network [BROADCASTING, May 10]. Agency is Benton & Bowles, New York.

Drawn for BROADCASTING by Sid Hix

"... I've Just Been Handed a Special Bulletin!"

THREE STATE RADIO GROUPS IN MEETING

ANNUAL MEETING of the Radio Council of New Jersey, held [illegible] Monday in Newark, was attended by more than 60 representatives of civic and educational groups. Theme was radio education in wartime, with speakers including Sterling Fisher, director of the NBC *Inter-American U. of the Air*; Irene Wicker, "The Singing Lady"; Leon Levine, CBS assistant director of education; Elsie Dixon, educational director, WOR, New York. Irving Rosenhaus, general manager, WAAT, Jersey City, was elected one of the vice-presidents of the council.

Last Friday, two other state radio councils held their annual meetings, the Northeastern Radio Council at Schenectady, and the Radio Council of Minnesota at Minneapolis. Former group also met May 15 to hear talks by Miss Dorothy Lewis, NAB coordinator of listener activities; Grace Johnson, BLUE; Arch Oboler, producer-author-director; Dr. James Rowland Angell, NBC public service counselor. Kolin Hager, general manager of WGY, Schenectady, was luncheon toastmaster.

The Minneapolis meeting featured reports on radio in the war and after from the Ohio State conference, with talks by Burton Paulu, WLB, Minneapolis; Max Karl, educational director, WCCO, Minneapolis; Muriel Steward, director of radio of the state tuberculosis assn.; Ann Ginn, WTCN, Minneapolis, and Hale Cavanaugh, OWI.

Nelson Promises Paper Status Quo Until Oct. 1

PRESENT shortage of paper for newspapers and magazines is not alarming, WPB Chairman Donald Nelson told a House Interstate subcommittee last week, assuring that further cuts in paper for publications is unlikely, at least until Oct. 1. Mr. Nelson's statement was read to a committee investigating the newsprint situation, in accordance with a resolution offered by Rep. Halleck (R-Ida.).

The subcommittee issued a report Monday recommending that the 10% paper cut be applied to government agencies as well as publishers. The committee also suggested that the War Manpower Commission recognize paper making as an essential activity to protect the labor supply.

Lt. Com. Guider Promoted, Heads Radio Procurement

LT. COM. JOHN W. GUIDER has been promoted to full commander in the Radio Division of the Navy Bureau of Ships. Formerly in the Bureau of Supplies & Accounts, Com. Guider is now head of the Procurement Branch of the Radio Division.

A pioneer in the practice of radio law, Com. Guider left the law firm of Hogan & Hartson, of which he had been a member for 10 years, when he was called to active duty last September. He followed in the service his partner, Lt. Com. Dudley M. Patrick. Com. Guider was graduated from the Naval Academy in 1922.

HAVE A HEART, FELLOW_

WHO'S UP AT 6 IN THE MORNING?

We made one of those worked-to-death map offers * — at 6 A. M. imagine!

All of the Heart of America responded—from the 49% rural as well as the 51% urban.

Yes—they're wide-awake with the Early Birds out here—wide-awake to a sales story.

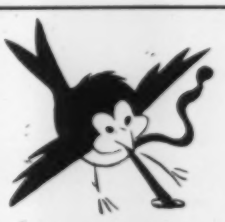
Proof again that one station—and only one station—reaches all of the Heart of America!

*Map offer at 6 A. M. brought replies from 90 Missouri and Kansas counties—from 14 outside states and Canada. This offer was made six mornings only—at 6 A. M.—no other teasers or plugging.

The alarm at KMBC goes off at 5:30 A. M. The Early Bird Jamboree starts the day with a song and a laugh.

To keep in touch with the times, 6 A. M. finds news from all the world being aired by KMBC to all of the Heart of America.

That 49% rural audience tunes to KMBC at 6:15 A. M. for Phil Evans and his farm and livestock market news.



Colorado Pete and the Dixie Four, a KMBC service feature, keep them awake at 6:30 A. M. with western and hillbilly hoedowns.

Service features build audiences in the Heart of America. The Midland Minstrels and the Texas Rangers carry on at 7:30 A. M.

KMBC

OF KANSAS CITY

FREE & PETERS, INC.

SINCE 1928—THE BASIC CBS STATION FOR MISSOURI AND KANSAS